UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS; STATE OF CALIFORNIA; STATE OF NEW JERSEY; STATE OF RHODE ISLAND; STATE OF CONNECTICUT; STATE OF DELAWARE; DISTRICT OF COLUMBIA; COMMONWEALTH OF MASSACHUSETTS; STATE OF MINNESOTA; STATE OF NEW YORK; JOSH SHAPIRO, in his official capacity as Governor of the Commonwealth of Pennsylvania; STATE OF VERMONT; STATE OF WASHINGTON,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security; UNITED STATES DEPARTMENT OF HOMELAND SECURITY; DAVID RICHARDSON, in his official capacity as Senior Official Performing the Duties of the Administrator of the Federal Emergency Management Agency; FEDERAL EMERGENCY MANAGEMENT AGENCY,

Defendants.

No. 1:25-cv-00495

FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

1. For decades, state and local governments have relied on federal funding—totaling billions of dollars annually—to prepare for, protect against, respond to, and recover from catastrophic disasters. These grants fund first responders' salaries and pay for the training they receive. They fund computer network testing to identify cyberattack vulnerabilities. They fund the mutual aid networks that allow first responders to mobilize from outside the immediate jurisdiction

when tragedy strikes. Congress created these federal grant programs and appropriates billions of dollars each year to ensure they are fully funded to meet the Nation's needs. Many were authorized by legislation passed in the wake of national emergencies, such as the September 11 terrorist attacks and Hurricane Katrina, to strengthen the Nation's preparedness for and response to emergencies and major disasters.

2. And for decades, across presidential administrations of both parties, the U.S. Department of Homeland Security ("DHS") and its sub-agency, the Federal Emergency Management Agency ("FEMA"), have operated these programs evenhandedly, supporting all fifty States in their efforts to prepare for and respond to emergencies and threats, understanding that the Nation is at its strongest when all Americans are protected from catastrophe.

3. But the current Administration has taken a different approach to administering the Nation's emergency management funds. Rather than follow the objective, risk-based criteria that Congress created to govern distribution of emergency funding, the Administration has followed a different path to determine how to award emergency funding to states and political subdivisions across the country.

4. Based on available information, DHS has put in place a "directive" under which it will not award funding to any State it considers a "sanctuary" jurisdiction (or to include within it a "sanctuary" jurisdiction)—even though DHS has neither defined that phrase nor explained why it considers some places to qualify as "sanctuary" jurisdictions.

5. On January 20, 2025, his first day in office, President Trump expressly directed DHS to "ensure that so-called 'sanctuary' jurisdictions . . . do not receive access to Federal funds." Exec. Order No. 14159, § 17, 90 Fed. Reg. 8443, 8446 (Jan. 20, 2025). The President has deemed that certain States and local jurisdictions are in "lawless insurrection," Exec. Order No. 14287, § 1,

90 Fed. Reg. 18761, 18761 (Apr. 28, 2025), because he disagrees with how they allocate their own local law enforcement resources. As recently as September 24, DHS proclaimed that "[c]ities and states who break the law and prevent us from arresting criminal illegal aliens should not receive federal funding[.] . . . No lawsuit, not this one or any other, is going to stop us from doing that." Anna Griffin, *Federal Judge Rejects Administration Efforts to Tie State Disaster Funds to Immigration Cooperation*, N.Y. Times (Sept. 24, 2025).[1]

6. DHS was referring to the injunction entered against it that same day in *Illinois v. Fed. Emergency Mgmt. Agency*, __ F. Supp. 3d __, 2025 WL 2716277 (D.R.I. Sept. 24, 2025). In that case, DHS and FEMA had sought to upend the Nation's emergency management system, holding critical emergency preparedness and response funding hostage unless States agreed to devote their scarce law enforcement resources to assisting the federal government in enforcing federal civil immigration law. DHS did so by adding terms to its "Standard Terms and Conditions"—applicable to all grant awards—that required States to divert their law enforcement resources away from core public safety missions to federal civil immigration enforcement as a condition of receiving ***any*** federal funds. Plaintiffs here are 12 States that were among those that brought suit to challenge the legality of these terms (and one Governor representing a State that was not), contending that the terms were arbitrary and capricious, exceeded DHS's legal authority, and violated the Spending Clause. *See Illinois v. FEMA*, No. 25-cv-206 (D.R.I.). On September 24, 2025, the U.S. District Court for the District of Rhode Island agreed, issuing an opinion granting the States' motion for summary judgment and permanently enjoining DHS and FEMA from enforcing the conditions on the grants that they administer.

[1] https://www.nytimes.com/2025/09/24/us/politics/trump-disaster-aid-immigration.html.

7. But DHS and FEMA were undeterred. Frustrated in its first attempt to coerce Plaintiff States into enforcing federal civil immigration law, DHS took yet another lawless action. It simply cut many Plaintiff States' awards dramatically, without explanation, reallocating their funds to more favored jurisdictions.

8. On Saturday, September 27, FEMA issued the award notifications for FEMA's single largest grant program—the Homeland Security Grant Program ("HSGP"), which totals approximately $1 billion in funds annually for state and municipal efforts to "prevent, prepare for, protect against, and respond to acts of terrorism." 6 U.S.C § 608(a)(2). Consistent with federal law, FEMA had previously issued notices of funding opportunity ("NOFOs") preliminarily allocating the funding among state recipients based on each jurisdiction's "relative threat, vulnerability, and consequences from acts of terrorism." 6 U.S.C § 608(a)(1); *see also* U.S. Dep't of Homeland Sec., *Notice of Funding Opportunity (NOFO): Fiscal Year 2025 Homeland Security Grant Program* (Aug. 1, 2025 Version) (Ex. 1). The August 1, 2025 NOFO allocated over $490 million to Plaintiff States under the two main components of HSGP: the State Homeland Security Program ("SHSP") and the Urban Area Security Initiative ("UASI"). Notably, the federal fiscal year ("FY") 2025 NOFO already represented a substantial downward departure from past years for many Plaintiff States. The FY 2024 NOFO had allocated, on net, $120 million more to Plaintiff States here. *See infra* ¶¶ 107–110.

9. On September 27, however, FEMA issued its formal HSGP award notifications. Those award notifications allocated only $250 million to Plaintiff States under the SHSP and UASI subcomponents—an over $240 million reduction from the NOFOs, totaling nearly half of the amount that FEMA had previously stated it would provide to Plaintiff States. Some States saw even sharper cuts: Illinois received a 69% reduction in HSGP funds, totaling over $30 million, and

New York received a 79% reduction in funds, totaling over *$100 million*. The notifications provide no explanation for the reductions, except that each was "[a]djusted per DHS directive."

10. But FEMA did not treat all States evenhandedly—for instance, reducing *all* States' allocation of funds by the same amount. Instead, on information and belief, FEMA reduced the allocations only of certain States that it views as "sanctuary" jurisdictions. FEMA even cut funding to States—such as Pennsylvania—that have never been identified as "sanctuary" jurisdictions but have municipalities that FEMA views as "sanctuary" jurisdictions.

11. At the same time as it reduced many Plaintiff States' HSGP allocations, FEMA made sizable increases to other States' allocations—with some States' allocations increasing by over 100%. Again, FEMA provided no explanation for the increases, except that each was "[a]djusted per DHS directive."

12. The explanation for DHS and FEMA's last-minute decision to reallocate $240 million in homeland security funds—the Reallocation Decision—is apparent. Although DHS has for decades administered federal grant programs in a fair and evenhanded manner, the current Administration is taking money from jurisdictions it believes are its enemies. Or, as Defendant Secretary Noem put it succinctly in a February 19 internal memorandum, States whose policies she dislikes "should not receive a single dollar of the Department's money." Ex. 6 at 2. And, yet again, on September 24, 2025, a DHS spokesperson proclaimed that "[c]ities and states who break the law and prevent us from arresting criminal illegal aliens should not receive federal funding." Griffin, *supra*. "No lawsuit . . . is going to stop us from doing that." *Id.*

13. The Reallocation Decision is unlawful in multiple respects, and it should be vacated and set aside. First, it violates federal law. The Homeland Security Act requires DHS and FEMA to allocate HSGP funds using objective, risk-based criteria, but the Reallocation Decision rests on

a factor not enumerated in the Act: FEMA's view of States' or local jurisdictions' domestic policies about how to best utilize their domestic law enforcement resources. Second, the Decision is arbitrary and capricious for multiple independent reasons, including that it withdraws hundreds of millions of dollars from Plaintiff States with no more than a word of explanation and that it rests on factors Congress did not intend DHS to consider.

14. At the same time, and likewise without any explanation, DHS reduced the period of performance for the HSGP grant from three years at the NOFO stage to just one year in the awards. DHS did the same to the important Emergency Management Performance Grant ("EMPG"), also issued on Saturday, September 27, and likewise unilaterally changed the start date of the performance period. This Performance Period Decision, although apparently applied across the board, is independently unlawful under the Administrative Procedure Act ("APA") for distinct though overlapping reasons.

15. Finally, three days later, on September 30, 2025, DHS issued amended EMPG awards that imposed a brand-new condition titled "Funding Hold: Verification of State's Population." This Population Certification Requirement requires States, for the first time in the history of the EMPG program, to certify their own populations—rather than DHS simply using federal census data to make that determination. And it requires States to do so "as of September 30, 2025," and to identify a methodology to exclude "individuals that have been removed from the State pursuant to the immigration laws of the United States." DHS and FEMA placed a complete funding hold on EMPG awards that will not be released until FEMA approves a State's requested population certification.

16. Real-time population figures are simply impossible to provide, and they are made doubly impossible by the demand to incorporate information about deportations that DHS alone

holds. Defendants' decision to impose this requirement is also arbitrary and capricious, and unlawful, because defendants themselves have—and are legally obligated to use—data produced by the U.S. Census Bureau about state populations. The Population Certification Requirement is, yet again, unlawful under the APA.

17. Plaintiff States seek declaratory and injunctive relief setting aside the Reallocation Decision, Performance Period Decision, and Population Certification Requirement and requiring DHS and FEMA to adhere to their statutory responsibilities in allocating homeland-security funds.

JURISDICTION AND VENUE

18. The Court has jurisdiction pursuant to 28 U.S.C. § 1331. The Court has authority to grant declaratory, injunctive, and other relief pursuant 28 U.S.C. §§ 2201–2202 and 5 U.S.C. §§ 702, 705, and 706.

19. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(e)(1). Defendants include a United States officer sued in her official capacity. Plaintiff the State of Rhode Island is a resident of this judicial district and a substantial part of the events or omissions giving rise to this Complaint occurred within the District of Rhode Island.

PARTIES

A. Plaintiffs

20. Plaintiff the State of Illinois, represented by and through its Attorney General Kwame Raoul, is a sovereign State of the United States of America. As the State's chief legal officer, the Attorney General is authorized to act on behalf of the State in this matter.

21. Plaintiff the State of California, represented by and through its Attorney General, Rob Bonta, is a sovereign state in the United States of America. As the State's chief legal officer, the Attorney General is authorized to act on behalf of the State in this matter.

22. Plaintiff the State of New Jersey, represented by and through its Attorney General, Matthew J. Platkin, is a sovereign State of the United States of America. As the State's chief legal officer, the Attorney General is authorized to act on behalf of the State in this matter. The Attorney General is also head of the New Jersey Department of Law and Public Safety, which is the agency responsible for applying for, obtaining, and disbursing several of the federal grant awards that are the subject of this litigation. See N.J. Stat. Ann. § 52:17B-2.

23. Plaintiff the State of Rhode Island, represented by and through its Attorney General Peter Neronha, is a sovereign State of the United States of America. As the State's chief legal officer, the Attorney General is authorized to act on behalf of the State in this matter.

24. Plaintiff the State of Connecticut is a sovereign state of the United States of America. Connecticut is represented by and through its chief legal officer, Attorney General William Tong, who is authorized under General Statutes § 3-125 to pursue this action on behalf of the State of Connecticut.

25. Plaintiff State of Delaware is a sovereign state of the United States of America. This action is brought on behalf of the State of Delaware by Attorney General Kathleen Jennings, the "chief law officer of the State." *Darling Apartment Co. v. Springer*, 22 A.2d 397, 403 (Del. 1941). Attorney General Jennings also brings this action on behalf of the State of Delaware pursuant to her statutory authority. Del. Code Ann. tit. 29, § 2504.

26. Plaintiff the District of Columbia is a municipal corporation organized under the Constitution of the United States. It is empowered to sue and be sued, and it is the local government for the territory constituting the permanent seat of the federal government. The District is represented by and through its chief legal officer, Attorney General Brian L. Schwalb. The Attorney General has general charge and conduct of all legal business of the District and all suits

initiated by and against the District and is responsible for upholding the public interest. D.C. Code. § 1-301.81.

27. Plaintiff the Commonwealth of Massachusetts, represented by and through its Attorney General Andrea Joy Campbell, is a sovereign state of the United States of America. Attorney General Campbell is authorized to pursue this action under Mass. Gen. Laws ch. 12, §§ 3, 10.

28. Plaintiff the State of Minnesota is a sovereign state in the United States of America. Minnesota is represented by Keith Ellison, the Attorney General of the State of Minnesota. The Attorney General's powers and duties include acting in federal court in matters of state concern. Minn. Stat. § 8.01.

29. Plaintiff the State of New York, represented by and through its Attorney General Letitia James, is a sovereign State of the United States of America. As the State's chief legal officer, the Attorney General is authorized to act on behalf of the State in this matter.

30. Plaintiff Josh Shapiro brings this suit in his official capacity as Governor of the Commonwealth of Pennsylvania. The Pennsylvania Constitution vests "[t]he supreme executive power" in the Governor, who "shall take care that the laws be faithfully executed." Pa. Const. art. IV, § 2. The Governor oversees all executive agencies in Pennsylvania and is authorized to bring suit on their behalf. 71 P.S. §§ 732-204(c), 732-301(6), 732-303.

31. Plaintiff the State of Vermont is a sovereign State of the United States of America. Vermont is represented by Attorney General Charity Clark, who is the chief law enforcement officer and is authorized by law to initiate litigation on behalf of the State.

32. Plaintiff the State of Washington, represented by and through its Attorney General, Nicholas W. Brown, is a sovereign state of the United States of America. The Attorney General of

Washington is the chief legal advisor to the State and is authorized to act in federal court on behalf of the State on matters of public concern. Chapter 43.10 RCW.

B. Defendants

33. Defendant Kristi Noem (the "DHS Secretary") is the United States Secretary of Homeland Security and the federal official in charge of DHS. The DHS Secretary is sued in her official capacity.

34. Defendant DHS is an agency and executive department of the United States government and has responsibility for implementing the federal grant programs at issue in this action, including through FEMA and other subagencies.

35. Defendant David Richardson is the Senior Official Performing the Duties of the Administrator of FEMA (the "Interim FEMA Head"). The Interim FEMA Head is sued in his official capacity.

36. Defendant FEMA is a federal agency within DHS that coordinates operational and logistical disaster response and oversees the administration of many of the federal grant programs at issue in this action.

ALLEGATIONS

A. Congress Has For Decades Supported State Emergency Preparedness, Response, and Recovery, Including By Enacting the Homeland Security Grant Program and the Emergency Management Performance Grant.

37. FEMA is a distinct entity within DHS. *See* 6 U.S.C. §§ 313(a); 316(a). By law, the DHS Secretary "may not substantially or significantly reduce . . . the authorities, responsibilities, or functions of [FEMA] or the capability of [FEMA] to perform those missions, authorities, [and] responsibilities, except as otherwise specifically provided in an Act enacted after October 4, 2006." *Id*. § 316(c)(1); *see also id.* § 591h(c).

38. Consistent with the structure created by Congress over the course of many decades, Plaintiff States today rely on federal grants as a critical tool to support their efforts to mitigate, prepare for, respond to, and recover from catastrophic events like natural disasters and malicious attacks. State emergency management budgets are largely committed to preexisting priorities—including, for example, emergency management staff. Indeed, many federal grants may be used only to support activities that are not already directly funded by the State. Federal grants therefore typically support disaster management initiatives that would not exist but for the federal grant funds and would disappear without them.

39. At issue in this case are two of FEMA's largest grant programs, the Homeland Security Grant Program ("HSGP") and the Emergency Management Performance Grant ("EMPG"). Both are "preparedness grant programs"—two of a handful of programs that annually provide "more than two billion dollars in funding to state, local, tribal Nations, and territorial governments, as well as transportation authorities, nonprofit organizations, and other eligible entities." *Simplifying FEMA Preparedness Grants*, 88 Fed. Reg. 62098, 62099 (Sept. 8, 2023). "For decades, FEMA has provided federal assistance to aid states in building and sustaining capabilities to measurably improve the nation's readiness in preventing, preparing for, protecting against, and responding to terrorist attacks and other hazards." *Id.* at 62098–99. HSGP and EMPG constitute over half of that funding, with appropriations of over $1.3 billion annually.

40. Congress established HSGP in direct response to the horrific events of September 11, 2001. The USA PATRIOT Act, enacted on October 26, 2001, established a grant program to allow States "to prepare for and respond to terrorist acts," Pub. L. No. 107-56, § 1014(a), 115 Stat. 272, 399—a program that became HSGP. When Congress expanded the preparedness programs in 2007 with comprehensive legislation "[t]o provide for the implementation of the

recommendations of the" 9/11 Commission, Pub. L. No. 110-53, 121 Stat. 266, 266, it made HSGP permanent. Today, Plaintiff States rely on hundreds of millions in HSGP funds annually. Two HSGP sub-programs, as well as the EMPG program, are primarily relevant here.[2]

a. Homeland Security Grant Program – State Homeland Security Program ("SHSP")

41. Homeland Security Grant Program – State Homeland Security Program ("SHSP") grants exist to provide federal funding to States to build the necessary capacity to prevent, prepare for, protect against, and respond to acts of terrorism.

42. SHSP funds have been available to States since the first version of the program was created by the USA PATRIOT Act in 2001. The program is codified at 6 U.S.C. §§ 603, 605–609.

43. FEMA is required to allocate SHSP funds pursuant to a risk assessment, which determines each State's "relative threat, vulnerability, and consequences from acts of terrorism," considering objective factors such as population density and history of threats. *Id*. § 608(a)(1). Recipients may then use SHSP funds for uses permitted by statute, such as enhancing homeland security, conducting training exercises, upgrading equipment, or paying salaries. *Id*. § 609(a). None of the permitted uses include civil immigration enforcement. *See id.*

44. Because SHSP grants are based on a statutory risk formula, not an exercise of the agency's discretion, each State is entitled to a minimum and specific allocation based on the risk assessment whenever a notice of funding opportunity is posted.

45. The FEMA Administrator "shall ensure" that each State receives no less than an amount equal to 0.35% of the total funds Congress appropriated for SHSP grants. *Id*. § 605(e)(1)(A)(v).

[2] A third HSGP sub-component, known as "Operation Stonegarden," which supports state efforts to enhance border security, was not affected by the Reallocation Decision and is not at issue here.

46. States collectively receive hundreds of millions of dollars per year in SHSP grants. They use these funds for myriad counterterrorism and emergency preparedness purposes, including, but not limited to, funding state special operations command teams (including SWAT teams and bomb squads) and funding mutual aid networks of police departments, fire departments, emergency services, and public works departments to mobilize first responders from outside an immediate jurisdiction in the event of a disaster.

47. SHSP funds allow States to advance counterterrorism and emergency preparedness purposes in ways they otherwise could not. The multijurisdictional emergency response organizations funded by SHSP would be forced to shut down absent federal funding.

48. Because—until this year—each SHSP grant typically remains open for three years, an award in one fiscal year usually allows States to continue to support program activities in at least the two years thereafter, and many Plaintiff States are currently relying on funding from the SHSP awards for FYs 2021–2024.

49. As an example of how States use SHSP funding, Illinois has used its SHSP funding for a wide range of initiatives that prevent, prepare for, protect against, and respond to acts of terrorism. Those efforts include first responder mutual aid networks, which coordinate terrorism responses from outside an immediate jurisdiction. SHSP funds also support the Illinois Statewide Terrorism and Intelligence Center, which facilitates communication across jurisdictions between public safety officials regarding national terrorism trends. SHSP funds also pay for the Illinois State Police's SWAT and Statewide Weapons of Mass Destruction Team.

50. New Jersey has used its SHSP funding to fund the salaries of state agency staff who provide cybersecurity training, plan risk mitigation efforts, and combat domestic violent extremism. SHSP funds have also enabled the development and maintenance of several

technological systems, including automated license plate recognition, unmanned aircraft detection, and the New Jersey Interoperability Communications System, which is a statewide radio system designed to strengthen communication among local, county, state, and federal first responders.

51. Furthermore, New York has used SHSP funds to administer and manage terrorism and targeted violence prevention grants and 12 local FBI-certified bomb squads to detect and respond to explosive incidents throughout the State. SHSP funding has also been critical in New York's establishment of local specialty teams, including explosive detection canine teams, tactical teams, and HazMat teams. SHSP funding supports the operations of the State's only fusion center, the New York State Intelligence Center (NYSIC). This funding is critical to supporting incident command operations, radiation interdiction efforts, cybersecurity activities, and weapons of mass destruction programs and staffing for intelligence analysts. In addition, SHSP funding supports citizen preparedness initiatives across the State, and New York has used SHSP funds to reduce vulnerabilities in crowded open spaces.

b. Homeland Security Grant Program – Urban Area Security Initiative ("UASI")

52. Homeland Security Grant Program – Urban Area Security Initiative ("UASI") grants serve the same overall purposes as SHSP grants. These funds are used to build necessary capacity to prevent, prepare for, protect against, and respond to acts of terrorism but with a focus on high-threat, high-density urban areas.

53. UASI funds have been available to States since the first version of the program was created by appropriations statute in 2003. *See* Pub. L. No. 108-90, 117 Stat. 1137, 1146. The program is codified at 6 U.S.C. §§ 603–604, 606–609.

54. FEMA is required to follow considerations set by statute to determine "the relative threat, vulnerability, and consequences from acts of terrorism" faced by metropolitan areas to

designate high-risk urban areas that may submit applications for UASI grants. *Id*. §§ 604(b). FEMA is required to allocate UASI funds pursuant to a risk assessment, which determines each high-risk urban area's "relative threat, vulnerability, and consequences from acts of terrorism," considering factors such as population density and history of threats. *Id*. § 608(a)(1).

55. Because UASI grants are based on a statutory risk formula, not an exercise of the agency's discretion, each eligible State is entitled to a specific allocation based on the risk assessment whenever a notice of funding opportunity is posted, tied to the FEMA-designated eligible urban area or areas in that State.

56. Recipients must use UASI funds for permitted uses, such as enhancing homeland security, conducting training exercises, upgrading equipment, or paying salaries. *Id*. § 609(a). None of the permitted uses include civil immigration enforcement. *See id.*

57. States that receive UASI funds must provide the high-risk urban area with at least 80% of the grant funds. *Id*. § 604(d)(2)(A). Any funds retained by the State must be expended on items, services, or activities that benefit the high-risk urban area. *Id*.

58. States collectively receive hundreds of millions of dollars per year in UASI grants, passing most of these funds along to the high-risk urban areas. States and the local government entities to which they pass these funds use UASI funds for myriad counterterrorism and emergency preparedness purposes, including support for urban fusion centers, SWAT teams, canine units, and bomb squads.

59. UASI funds allow States and local government entities to advance counterterrorism and emergency preparedness purposes in ways they otherwise could not.

60. Because—until this year—each UASI grant typically remains open for three years, an award in one fiscal year usually allows States to continue to support program activities in at least the two years thereafter.

61. As an example of how States use UASI funding, Illinois has one eligible high-threat, high-density urban area, the Chicago metropolitan statistical area. Illinois passes approximately 90% of UASI funds on to fire departments, law enforcement, other first responders, and emergency preparedness offices in the greater Chicago area. These funds provide critical funding for the Chicago Office of Emergency Management, the Chicago Crime Prevention and Intelligence Center, and the Cook County Department of Emergency Management and Regional Security. Chicago uses UASI funds for preparedness purposes including, but not limited to, replacing and sustaining its stock of respirators necessary for mass casualty incidents, maintaining training for fire department special operations teams, and developing policy and training regarding active shooters and coordinated terrorist attack scenarios.

62. Similarly, New Jersey passes UASI funds through to seven contiguous counties in the New York City metropolitan area, including the major cities of Newark and Jersey City, eight medical centers in urban areas throughout the state, and six State-level agencies that perform preparedness work in service of those geographic areas. New Jersey has used UASI funds to enhance urban search and rescue, including training and equipment and gear upgrades and replacements.

c. Emergency Management Performance Grant Program ("EMPG")

63. The Emergency Management Performance Grant Program ("EMPG") provides federal funding to States to assist state, local, tribal, and territorial emergency management agencies in implementing FEMA's National Preparedness System, including by building continuity-of-government capabilities to ensure essential functions in a catastrophic disaster.

64. EMPG funds have been available to States since an initial appropriation for the program in 2003. *See* Pub. L. No. 108-7, 117 Stat. 11, 515–16. The program is now codified at 6 U.S.C. § 762 after being made permanent by the Post-Katrina Emergency Management Reform Act of 2006.

65. FEMA's allocation of EMPG funds is set by statutory formula. For each year's apportioned amount of EMPG, FEMA must allocate to certain territories a baseline amount of 0.25% of the appropriated funds and to the States a baseline amount of 0.75% of the appropriated funds. *Id*. § 762(d)(1). FEMA must apportion the remaining amount among the States on a population-share basis. *Id*. § 762(d)(2).

66. Because EMPG grants are formula grants and not competitive grants, each State is entitled to a specific allocation whenever a notice of funding opportunity is posted.

67. States collectively receive hundreds of millions of dollars per year in EMPG grants. They use these funds for emergency preparedness purposes, including funding the salaries of operations personnel who coordinate disaster response efforts and funding communications, facilities, and vehicles used for disaster response.

68. EMPG funds allow States to advance emergency preparedness purposes in ways they otherwise could not. States would otherwise not be able to employ the emergency management staff funded by EMPG funds, severely diminishing States' ability to coordinate a disaster response.

69. Because—until this year—each EMPG grant typically remains open for three years, an award in one fiscal year usually allows States to continue to support program activities in at least the two years thereafter.

70. Further, until this year, the start of three-year performance period was consistently the beginning of the federal fiscal year in question, meaning, for example, that the start of the term for the FY **2025** EMPG award would be October 1, **2024**. Indeed, the NOFO for the FY 2025 EMPG award indicated that the beginning of the period of performance would be October 1, 2024. Yet the period of performance in Plaintiff States' actual EMPG awards begins on October 1, 2025. That leaves many Plaintiff States and their sub-awardees (including many county governments) with a year of critical emergency expenses—from October 1, 2024 to September 30, 2025—that they expected to be covered by the FY 2025 award but that are no longer reimbursable. Many Plaintiff States and their subgrantees have no alternative funding sources for these already incurred expenses.

71. States use EMPG funding for a wide range of emergency response programming. For instance, EMPG dollars fund the salaries of state agency personnel who lead statewide coordination efforts in response to a natural disaster or mass casualty event, such as state emergency operations plans, hurricane response plans, severe weather plans and procedures. The EMPG program also funds communications, facilities, and vehicles for disaster response in State-level agencies. EMPG monies also fund the ongoing costs of the software program used at the state emergency operations centers, which are the physical locations where state emergency managers direct all strategic and operational activities in the event of a disaster or public health emergency. For example, Rhode Island uses EMPG funds to lead statewide coordination efforts in response to disasters or mass casualty events. EMPG funds pay for communications, facilities, vehicles and equipment for disaster response.

72. States also pass through EMPG funds to localities, who likewise fund the salaries of local emergency managers and local support staff statewide as well as software and

communications to support local emergency response. For instance, California distributes EMPG funding to 59 local government entities and tribes to improve and fill critical gaps for existing emergency management systems.

73. Plaintiff States rely on EMPG funds being available to cover emergency response and preparation costs in a manner consistent with FEMA's past practices. Plaintiff States engage in months-long preparation processes and negotiations with subgrantees to identify priority initiatives and projects in anticipation of receiving EMPG funds at the beginning of the fiscal year. Any impediment to accessing EMPG funds as anticipated would require Plaintiff States and their subgrantees to re-engage in this process and find alternative funding for past expenses, causing not only delays in the implementation of these projects, but wholesale elimination of certain projects and termination of staff.

B. States Have Exercised Their Sovereign Prerogative To Choose How To Deploy Law Enforcement Resources Within Their Jurisdictions.

74. Plaintiff States are responsible for maintaining the day-to-day safety of all residents of their communities. Plaintiff States enact statutes and establish policies to effectively enforce state and local laws, keep public order, and provide public safety services that meet their specific needs. *See United States v. Morrison*, 529 U.S. 598, 618 (2000) ("Indeed, we can think of no better example of the police power, which the Founders denied the National Government and reposed in the States, than the suppression of violent crime and vindication of its victims.").

75. One critical choice that Plaintiff States can make in doing so is whether to devote their scarce law enforcement and other agency resources to assisting the federal government in enforcing federal civil immigration law.

76. Plaintiffs States have made different choices about how to allocate law enforcement resources, and many (but not all) Plaintiff States have, for decades, chosen to limit their

entanglement in the enforcement of federal immigration law. *See, e.g.*, 5 Ill. Comp. Stat. 805/1 to /20; 5 Cal. Gov. Code §§ 7282, 7282.5, 7283–7283.2, 7284–7284.12; N.J. Att'y Gen. Directive 2018-6; Wash. Rev. Code Ann. §§ 10.93.160, 43.10.315; Conn. Gen. Stat. Ann. § 54-192h; Vt. Stat. Ann. tit. 20, § 4651; N.Y. Exec. Orders 170 and 170.1. Some political subdivisions have made similar choices.

77. The States that have made this choice have determined that public safety and law enforcement benefit from a relationship of trust between immigrant communities and state and local law enforcement. Their laws and policies uniformly authorize state and local authorities to comply with all applicable federal laws but impose limitations on the circumstances under which state and local officers can devote their own resources to assisting the federal government in enforcing federal immigration law.

78. These laws and policies are based on the considered experience of state and local law enforcement agencies, which demonstrates that persons who lack lawful immigration status or have family members or friends who lack lawful immigration status are less likely to report a crime as victims or witnesses if they fear that the responding officer will turn them over to civil immigration authorities. This reluctance makes it increasingly difficult for officers to solve crimes and bring suspects to justice, putting all residents at risk. *See, e.g.*, Directive 2018-6, at 1; Cal. Gov. Code § 7284.2.

79. These States' determination is also well supported by analyses of empirical data. Numerous studies have confirmed that immigration-related fears prevent witnesses, victims, and others from reporting crimes. Surveys of law enforcement officers and analyses of victim reporting data conclude that fear of immigration enforcement decreased immigrant victims' likelihood of making police reports and reporting domestic violence, participating in investigations, and

working with prosecutors. *See* Rafaela Rodrigues et al., Nat'l Immigrant Women's Advoc. Project, *Promoting Access to Justice for Immigrant and Limited English Proficient Crime Victims in an Age of Increased Immigration Enforcement: Initial Report from a 2017 National Survey* (2018).[3] One study estimated that policies designed to foster greater trust between immigrant communities and police could cause an additional 90,000 violent incidents per year to be reported to law enforcement nationwide. *See* Ricardo D. Martínez-Schuldt & Daniel E. Martínez, *Immigrant Sanctuary Policies and Crime-Reporting Behavior: A Multilevel Analysis of Reports of Crime Victimization to Law Enforcement, 1980 to 2004*, 86 Am. Socio. Rev. 154, 170 (2021).

80. Some States have likewise determined that it will interfere with important public welfare functions if state employees divert non-law enforcement resources to engage in unnecessary inquiries into individuals' immigration status, fulfill information requests by federal immigration officials not required by law, or facilitate civil immigration arrests in state buildings. *E.g.*, New York Exec. Order 170 (Sept. 15, 2017); New York Exec. Order 170.1 (Apr. 25, 2018).

81. Other Plaintiff States have made different decisions or are subject to different rules in this context. For instance, some Plaintiff States must comply with state court rulings that prevent them from cooperating with civil immigration detainer requests. *See Lunn v. Commonwealth*, 477 Mass. 517, 518–19 (2017).

82. Still other Plaintiff States without codified directives of the kind described above have not imposed categorical limitations on the use of law enforcement or state agency resources to assist in the enforcement of federal immigration law. However, they do not impose categorical *requirements* of this kind on their law enforcement officers and state agency employees.

[3] http://library.niwap.org/wp-content/uploads/Immigrant-Access-to-Justice-National-Report.pdf.

83. Some of these States have concluded that participating in federal immigration enforcement efforts imposes substantial costs on local jurisdictions, not only in the form of personnel and resources but also in the form of potential civil liability. And some such States have reasoned that even where law enforcement resources are dedicated to assisting with enforcement of federal immigration law, it is preferable to retain critical decisionmaking authority regarding when to offer those resources and how many resources to offer.

84. Thus, although Plaintiff States have made different decisions regarding the use of their law enforcement and agency resources, all Plaintiff States' decisions in this area are consistent with the basic rule that the States "remain independent and autonomous within their proper sphere of authority," *Printz v. United States*, 521 U.S. 898, 928 (1997)—a principle that has no greater force than in the context of States' exercise of their police powers for the protection of their residents.

C. Defendants Announce Their Opposition To Certain Plaintiff States' Policies.

85. Since January 2025, defendants have engaged in a concerted campaign to pressure States to use their state resources to enforce federal immigration law, subverting the design of DHS grant programs.

86. On January 20, 2025, his first day in office, President Trump issued an executive order directing the Secretary of Homeland Security to "ensure that so-called 'sanctuary' jurisdictions . . . do not receive access to Federal funds," and to take "any other lawful actions, criminal or civil" that the Secretary of Homeland Security deems warranted. Exec. Order No. 14159, § 17, 90 Fed. Reg. 8443, 8446 (Jan. 20, 2025).

87. This was not President Trump's first time announcing an intent to use conditions on federal funding to coerce states into adopting his preferred set of policies. The first Trump Administration imposed immigration-enforcement conditions on funding Plaintiff States received

from the Byrne Justice Assistance Grant Program. These immigration-enforcement conditions prompted extensive litigation, in which courts repeatedly held the immigration-enforcement conditions to exceed the Department's statutory authority. *City of Providence v. Barr*, 954 F.3d 23, 45 (1st Cir. 2020); *City of Philadelphia v. Att'y Gen.* , 916 F.3d 276, 291 (3d Cir. 2019); *City of Chicago v. Barr*, 961 F.3d 882, 931 (7th Cir. 2020); *City & Cnty. of San Francisco v. Barr*, 965 F.3d 753, 761 (9th Cir. 2020); *City of Los Angeles v. Barr*, 941 F.3d 931, 944 (9th Cir. 2019); *Colorado v. U.S. Dep't of Just.*, 455 F. Supp. 3d 1034, 1040 (D. Colo. 2020); *City of Evanston v. Sessions*, No. 18-cv-4853, 2018 WL 10228461, at *4 (N.D. Ill. Aug. 9, 2018). *But see New York v. U.S. Dep't of Just.*, 951 F.3d 84, 90 (2d Cir. 2020).

88. On February 19, 2025, the DHS Secretary issued a memorandum to all DHS agencies and offices titled "Restricting Grant Funding for Sanctuary Jurisdictions," attached as Exhibit 6. The memorandum directed all DHS agencies and offices to review all federal financial assistance and, consistent with DHS's immigration initiatives, cease federal funding to what DHS deems "sanctuary" jurisdictions. The DHS Secretary also directed components to make criminal referrals to the Department of Justice for any resistance or noncompliance with lawful immigration-related commands.

89. On March 20, 2025, then-interim FEMA head Cameron Hamilton sent a memorandum to the DHS Secretary titled "Approval of FEMA-Administered Grant Disbursements," attached as Exhibit 7. Hamilton's memorandum listed FEMA's grant programs and identified twelve specific grant programs that, in his view, might lawfully be limited to non-"sanctuary" jurisdictions. Hamilton recommended applying targeted terms that would limit funding under these twelve programs to States that helped assist in enforcing federal immigration law—but only those twelve programs. Hamilton's recommendation regarding these twelve

programs was not supported by any statutory authority or any analysis of the basis for DHS's authority to impose conditions on grant programs.

90. On April 28, 2025, President Trump issued another executive order relating to jurisdictions with policies designed to improve relations between law enforcement and communities. *See* Exec. Order No. 14287, 90 Fed. Reg. 18761 (Apr. 28, 2025). The EO requires "the Attorney General, in coordination with [DHS]" to "publish a list" of "sanctuary jurisdictions" and to "notify each sanctuary jurisdiction regarding its defiance of Federal immigration law enforcement and any potential violations of Federal criminal law." *Id.* § 2. The Attorney General and DHS were to publish this list within 30 days, meaning May 28, 2025. *Id.*

91. Section 3(a) of the April 28 executive order then directs agencies to "identify appropriate Federal funds to sanctuary jurisdictions, including grants and contracts, for suspension or termination, as appropriate," *id.* § 3(a), expanding to all federal agencies a similar directive in the January 20 executive order that applied only to the Attorney General and DHS, Exec. Order No. 14159, § 17, 90 Fed. Reg. at 8446.

92. On May 29, 2025, DHS published a list of so-called "sanctuary jurisdictions," which included almost all Plaintiff States here and many of their political subdivisions. The list was taken down two days later, after 9:19 PM on Saturday, May 31. *See* Dep't of Homeland Sec., *Sanctuary Jurisdictions Defying Federal Immigration Law* (captured June 1, 2025 1:19 AM GMT) (Ex. 8).

93. In an interview with Fox News on June 1, 2025, however, Defendant Secretary Noem stated that the "list is absolutely continuing to be used and it is going to be identifying those cities and those jurisdictions that aren't honoring law and justice."

D. Defendants Allocate HSGP Funds In The HSGP NOFO.

94. On July 28, 2025, DHS first posted the fiscal year 2025 notice of funding opportunity for the Homeland Security Grant Program to the grants.gov website. *See* U.S. Dep't of Homeland Sec., *Notice of Funding Opportunity (NOFO): Fiscal Year 2025 Homeland Security Grant Program* (July 28, 2025 Version 1) (Ex. 2).

95. Later on July 28, 2025, without any explanation, DHS updated the fiscal year 2025 NOFO on the grants.gov website with a new version. *See* U.S. Dep't of Homeland Sec., *Notice of Funding Opportunity (NOFO): Fiscal Year 2025 Homeland Security Grant Program* (July 28, 2025 Version 2) (Ex. 3).

96. The major change between the first and second versions appears to have been that defendants cut a section titled "Immigration Conditions" from the first NOFO and replaced it with a statement that the decision on whether to impose the immigration conditions remained pending at that time. *Compare* Ex. 2 at 48–50 *with* Ex. 3 at 48.

97. Both the first and second versions of the HSGP NOFO solicited applications and set allocations for only SHSP and did not mention UASI. *See* Ex. 2 at 53–54; Ex. 3 at 51–52.

98. On August 1, 2025, DHS released the third and final version of the Homeland Security Grant Program NOFO. *See* Ex. 1. That NOFO stated DHS's intention of awarding to the States the $1.008 billion that Congress appropriated for the HSGP program in federal fiscal year 2025, for both SHSP and UASI. *Id.* at 4; *see* Further Consolidated Appropriations Act, 2024, Pub. L. No. 118-47, 138 Stat. 460, 607 (fiscal year 2024 appropriation); Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4, § 1101(a)(6), 139 Stat. 9, 11 (continued fiscal year 2025 appropriation under the same terms).

99. Office of Management and Budget administrative requirements, which DHS has adopted as its own binding regulation, require DHS to disclose "the expected dollar values of

individual awards." 2 C.F.R. §§ 200.204(a)(6), 3002.10. Consistent with that requirement, all three versions of the HSGP NOFO included "target allocations" for grantees. Ex. 1 at 53–57.

100. Defendants have announced HSGP funding allocations in each year's notice of funding opportunity for at least 15 years. For instance, DHS announced funding allocations in the NOFO for fiscal year 2024. *See* U.S. Dep't of Homeland Sec., *Notice of Funding Opportunity (NOFO): Fiscal Year 2024 Homeland Security Grant Program* (Apr. 15, 2025) (Ex. 5).

101. The final fiscal year 2025 NOFO explained that for SHSP, "DHS/FEMA [would] distribute SHSP funds based on their risk assessment methodology and legal minimums outlined in the Homeland Security Act of 2002, as amended." Ex. 1 at 53. And the NOFO accordingly set out the allocations that resulted from that "risk assessment methodology." *Id.* at 54.

102. As FEMA itself publicly declared on September 12, 2025: "*Final* allocations are published in the FY 2025 HSGP NOFO." Fed. Emergency Mgmt. Agcy., *FY 2025 Homeland Security Grant Program Fact Sheet*, at 3 (Sept. 12, 2025) (Ex. 9) (emphasis added).

103. Under those allocations, Plaintiff States were slated to receive over $156 million in HSGP-SHSP funds, including over $55 million for California, $38 million for New York, $10 million for Illinois, and $5 million for New Jersey. Ex. 1 at 54.

104. The NOFO likewise explained that for UASI, defendants had determined program eligibility "through an analysis of relative risk of terrorism faced by the 100 most populous Metropolitan Statistical Areas . . . in the United States," as required by the Homeland Security Act. *Id.* at 54. And it set out the allocations for designated urban areas "based on DHS/FEMA's risk-informed assessment." *Id.* at 55.

105. Under those allocations, Plaintiff States were slated to receive over $336 million in UASI funds, including over $109 million for California, $92 million for New York, $33 million for Illinois, and $13 million for New Jersey. *Id.* at 55–56.

106. All in, Plaintiff States were allocated over $492 million in funds under the NOFO associated with SHSP and UASI, including $156 million under SHSP and $336 million under UASI.[4]

107. Notably, the third and final version of the HSGP NOFO imposed substantial reductions on several Plaintiff States—California, the District of Columbia, Illinois, New Jersey, and New York—as compared to fiscal year 2024 and the earlier versions of the fiscal year 2025 NOFO.

108. The first and second versions of the HSGP NOFO proposed to hold funding levels steady as to these Plaintiff States as compared to the prior year, as shown in the below table:

State	Fiscal Year 2024 HSGP NOFO			July 28, 2025, HSGP NOFO			Total Change
	SHSP	UASI	Total	SHSP	UASI	Total	
CA	$51,332,060	$118,534,552	$169,866,612	$51,332,060	N/A	N/A	$0
DC	$4,576,849	$45,201,207	$49,778,056	$4,576,849	N/A	N/A	$0
IL	$12,505,419	$59,395,378	$71,900,797	$12,505,419	N/A	N/A	$0
NJ	$6,367,357	$16,722,687	$23,090,044	$6,367,357	N/A	N/A	$0
NY	$61,229,940	$156,131,176	$217,361,116	$61,229,940	N/A	N/A	$0

[4] Plaintiff States also were allocated about $17 million under HSGP's third subprogram, Operation Stonegarden. *Id.* at 57. The Reallocation Decision does not, as of this writing, appear to have affected these funds.

109. But the final August 1, 2025 version of the HSGP NOFO imposed large cuts on the target allocations for these Plaintiff States:

State	Fiscal Year 2024 HSGP NOFO			Final FY2025 HSGP NOFO			Total Change
	SHSP	UASI	Total	SHSP	UASI	Total	
CA	$51,332,060	$118,534,552	$169,866,612	$55,863,486	$109,325,268	$165,188,754	-$4,677,858
DC	$4,576,849	$45,201,207	$49,778,056	$4,362,750	$25,270,521	$29,633,271	-$20,144,785
IL	$12,505,419	$59,395,378	$71,900,797	$10,419,556	$33,479,819	$43,899,375	-$28,001,422
NJ	$6,367,357	$16,722,687	$23,090,044	$5,065,776	$13,928,247	$18,994,023	-$4,096,021
NY	$61,229,940	$156,131,176	$217,361,116	$38,200,874	$92,180,364	$130,381,238	-$86,979,878

110. Therefore, even before the fiscal year 2025 HSGP awards issued, defendants had imposed approximately $144 million of cuts on five disfavored jurisdictions without any explanation. In particular, New York had already faced a cut of nearly $87 million between July 29 and August 1, 2025.

E. Defendants Issue Fiscal Year 2025 Risk Profiles.

111. The HSGP statute "requires that the 'relative threat, vulnerability, and consequences from acts of terrorism' be considered when allocation funds for DHS' and FEMA's preparedness grant programs." Fed. Emergency Mgmt. Agency, *Fiscal Year 2023 SHSP/UASI Risk Methodology Updates*, at 5 (Feb. 17, 2023) (Ex. 13) (quoting 6 U.S.C. § 608(a)(1)).

112. In furtherance of that statutory requirement, defendants produce annual "relative risk scores" using a pre-announced "risk methodology." *Id.* The methodology does not produce an estimate of "*absolute* risk" but rather "relative comparisons" between jurisdictions. *Id.*

113. Each year, in connection with the setting of target allocations under SHSP and UASI, defendants send States and their UASI jurisdictions the risk profiles that show where the jurisdictions fall in the relative risk rankings each year. In past years, defendants have also provided draft risk profiles for review and input before finalizing the risk profiles. Defendants did not send draft risk profiles to the States this year.

114. Instead, on or about August 13, 2025, defendants sent all States and UASI jurisdictions their final risk profiles for fiscal year 2025. On balance, Plaintiff States and many of the UASI jurisdictions within Plaintiff States either maintained their relative risk rankings as compared to prior years or saw only minor changes, as shown by the below table:

Plaintiff State or UASI Metropolitan Statistical Area	Fiscal Year 2024 Rank	Fiscal Year 2025 Rank	Change
CA	1	1	**0**
Anaheim-Santa Ana-Irvine	17	18	**-1**
Los Angeles-Long Beach-Glendale	2	2	**0**
Riverside-San Bernardino-Ontario	19	23	**-4**
Sacramento-Roseville-Folsom	28	33	**-5**
San Diego-Chula Vista-Carlsbad	13	8	**+5**
San Francisco-San Jose-Oakland	4	4	**0**
CT	35	35	**0**
DC	24	24	**0**
Washington-Arlington-Alexandria	5	6	**-1**
DE	41	36	**+5**
IL	5	5	**0**
Chicago-Naperville-Elgin	3	3	**0**
MA	15	11	**+4**
Boston-Cambridge-Newton	12	9	**+3**
MN	17	17	**0**
Minneapolis-St. Paul-Bloomington	16	16	**0**
NJ	10	12	**-2**
Newark-Jersey City-New Brunswick	10	13	**-3**
PA	6	6	**0**
Philadelphia-Camden-Wilmington	11	7	**+4**
Pittsburgh	31	30	**+1**
RI	47	47	**0**
VT	53	53	**0**
WA	11	10	**+1**
Seattle-Tacoma-Bellevue	15	15	**0**

115. Therefore, even though defendants' assessment of the relative risk faced by Plaintiff States had barely changed, defendants cut Plaintiff States' UASI allocations by approximately $144 million in the August 1, 2025 NOFO.

F. Defendants Try But Fail To Condition All DHS Federal Funds On Their Views About Plaintiff States' Policies.

116. *Illinois v. FEMA*, No. 25-cv-206 (D.R.I.), successfully countered DHS's first attempt to act on its animus toward certain States by depriving them of federal funds unrelated to civil immigration enforcement. In March and April 2025, DHS posted on its website revised versions of the DHS Standard Terms and Conditions (the "Terms and Conditions").[5] These Terms and Conditions govern "all new federal awards of federal financial assistance . . . for which the federal award date occurs in FY 2025." The revised versions included "provisions requiring state and local recipients to certify that they will assist in enforcing federal immigration law." *Illinois v. FEMA*, 2025 WL 2716277, at *2.

117. The States of Illinois, California, New Jersey, Rhode Island, Colorado, Connecticut, Delaware, Hawai'i, Maine, Maryland, Massachusetts, the People of the State of Michigan, Minnesota, Nevada, New Mexico, New York, Oregon, Vermont, Washington, and Wisconsin, and the District of Columbia brought suit, claiming that the civil immigration conditions imposed on all DHS funds were unlawful. *See* Complaint, *Illinois v. FEMA*, ECF 1 (D.R.I. May 13, 2025).[6]

118. The parties cross-moved for summary judgment, and, on September 24, the district court issued an opinion granting the *FEMA* Plaintiff States' motion for summary judgment and holding that the promulgation of the immigration conditions violated the APA and the Constitution. *Illinois v. FEMA*, 2025 WL 2716277, at *1.

119. The court explained that the decision to promulgate the conditions was arbitrary and capricious because DHS had failed to "examine[] the relevant data or articulate[] a fact-based

[5] Available at https://www.dhs.gov/publication/dhs-standard-terms-and-conditions.
[6] The District of Columbia was joined with the first amended complaint on July 2, 2025. First Amended Complaint, *Illinois v. FEMA*, ECF 57 (D.R.I. July 2, 2025).

reason" for its actions, instead relying principally on the President's executive order "calling upon . . . agencies to terminate funding to 'sanctuary jurisdiction[s].'" *Id.* at *12 (alteration in original). DHS, the court explained, had provided no "actual explanation of why it [was] necessary to attach sweeping immigration conditions to all the grants at issue . . . , regardless of their statutory purpose or programmatic objectives." *Id.* Moreover, the Court concluded that DHS "engaged in a wholly under-reasoned and arbitrary process," "did not meaningfully evaluate the [S]tates' reliance interests," and compounded these failures by using "vague and confusing language" that "ma[de] compliance a nearly impossible-to-achieve moving target." *Id.*

120. The court also explained that the conditions violated the Spending Clause because they were "not reasonably related to the purposes of the grants to which they attach[ed]" and were coercive, amounting to "'economic dragooning' of the sort condemned in" *National Federation of Independent Business v. Sebelius*, 567 U.S. 519 (2012). *FEMA*, 2025 WL 2716277, at *14.

121. Accordingly, by judgment entered September 24, 2025, the district court vacated the immigration conditions as to all DHS awards and all recipients. *Id.* at *15. The court also issued a permanent injunction because "Plaintiff States st[ood] to suffer irreparable harm; the effect of the loss of emergency and disaster funds [could]not be recovered later, and the downstream effect on disaster response and public safety [was] real and not compensable." *Id.* at *16. The court therefore "permanently enjoin[ed] Defendants from enforcing the contested conditions against Plaintiff States." *Id.*

122. When asked about the court's opinion, a DHS spokesperson said: "Cities and states who break the law and prevent us from arresting criminal illegal aliens should not receive federal funding." Griffin, *supra*. She added: "No lawsuit, not this one or any other, is going to stop us from doing that." *Id.*

G. Defendants Reallocate HSGP Funds Away From Disfavored States.

123. The DHS's spokesperson's explicit threat bore fruit just three days later when DHS slashed HSGP funding to many States protected by the *Illinois v. FEMA* injunction, redistributing their funding to other States.

124. Plaintiff States had each applied for HSGP funding under the FY 2025 NOFO on or before the August 15, 2025 deadline. *See supra* ¶¶ 98–106.

125. On Saturday, September 27—four days before the funds were set to expire—DHS issued award notifications under the HSGP program, with the award letters dated September 26.

126. Plaintiff States have not yet ratified their awards by counter-signature through the FEMAGo system.

127. The award notifications contained significant—indeed, extraordinary—deviations from the final NOFO allocations as released on August 1, 2025.

128. Although New York had been preliminarily allocated $130 million in SHSP and UASI funds by the NOFO, it received only $28 million in funding—a 79% decrease.

129. Although the District of Columbia had been preliminarily allocated $30 million in SHSP and UASI funds by the NOFO, it received only $9 million in funding—a 70% decrease.

130. Although Illinois had been preliminarily allocated $44 million in SHSP and UASI funds by the NOFO, it received only $14 million in funding—a 69% decrease.

131. And although California had been preliminarily allocated $165 million in SHSP and UASI funds by the NOFO, it received only $110 million in funding—a 33% decrease.

132. In total, nine Plaintiff States (and their municipalities, via the UASI subcomponent) received awards reduced substantially relative to the NOFO allocations, as shown by the below chart:

Plaintiff State	August 1 Notice of Funding Opportunity			Final Award			Total Change
	SHSP	UASI	Total	SHSP	UASI	Total	
CA	$55,863,486	$109,325,268	$165,188,754	$17,156,754	$93,473,801	$110,630,555	-$54,558,199
CT	$4,362,750	$0	$4,362,750	$4,362,750	$0	$4,362,750	$0
DC	$4,362,750	$25,270,521	$29,633,271	$4,362,750	$4,416,737	$8,779,487	-$20,853,784
DE	$4,362,750	$0	$4,362,750	$4,362,750	$0	$4,362,750	$0
IL	$10,419,556	$33,479,819	$43,899,375	$4,362,750	$9,395,829	$13,758,579	-$30,140,796
MA	$5,390,887	$16,838,838	$22,229,725	$6,000,629	$9,301,839	$15,302,468	-$6,927,257
MN	$4,362,750	$9,526,217	$13,888,967	$4,362,750	$2,973,810	$7,336,560	-$6,552,407
NJ	$5,065,776	$13,928,247	$18,994,023	$6,000,629	$3,768,628	$9,769,257	-$9,224,766
NY	$38,200,874	$92,180,364	$130,381,238	$5,624,924	$22,069,395	$27,694,319	-$102,686,919
PA	$9,407,455	$23,181,198	$32,588,653	$11,362,750	$12,305,323	$23,668,073	-$8,920,580
RI	$4,362,750	$0	$4,362,750	$4,362,750	$0	$4,362,750	$0
VT	$4,362,750	$0	$4,362,750	$4,362,750	$0	$4,362,750	$0
WA	$5,483,241	$12,713,580	$18,196,821	$4,362,750	$11,782,120	$16,144,870	-$2,051,951

133. Nearly all Plaintiff States are listed on DHS's now-removed list of "sanctuary" jurisdictions and have impacted UASI municipalities that are. *See* Ex. 8. The sole exception is Pennsylvania, but it contains the listed city of Philadelphia, *see id.* at 15, which saw its UASI funding reduced from over $18 million at the NOFO stage to $0 at the award stage. Philadelphia's award was cut to $0 even as defendants' assessment of Philadelphia's relative risk ranking rose four places to seventh in the Nation. *See supra* ¶ 114.

134. Not only did defendants take money away from disfavored States, they reallocated the money away to other jurisdictions.

135. Defendants provided comprehensive data on the reallocation in a PowerPoint presentation delivered to a congressional committee on September 29, 2025, which was not available at the filing of the original complaint in this matter, but which is now attached as Exhibit 10.

136. The comprehensive data in the PowerPoint reveals that, with only a few exceptions, States *not* on DHS's "sanctuary" jurisdiction list did not experience decreases in funding. Quite the opposite: The vast majority received substantial *increases* in HSGP funding, as shown by the below table of changes affecting jurisdictions not listed on the "sanctuary" list:

State or Territory	August 1 Notice of Funding Opportunity			Final Award			Total Change
	SHSP	UASI	Total	SHSP	UASI	Total	
AK	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
AL	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
AR	$4,362,750	$0	$4,362,750	$6,000,628	$0	$6,000,628	$1,637,878
AS	$997,200	$0	$997,200	$2,635,078	$0	$2,635,078	$1,637,878
AZ	$5,023,205	$12,910,357	$17,933,562	$7,362,750	$21,938,710	$29,301,460	$11,367,898
FL	$15,745,665	$34,181,770	$49,927,435	$18,395,245	$71,849,604	$90,244,849	$40,317,414
GA	$7,272,801	$14,564,394	$21,837,195	$9,362,750	$9,372,418	$18,735,168	-$3,102,027
GU	$1,110,150	$0	$1,110,150	$2,748,028	$0	$2,748,028	$1,637,878
HI	$4,362,750	$6,338,443	$10,701,193	$6,000,629	$16,694,331	$22,694,960	$11,993,767
IA	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
ID	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
IN	$4,362,750	$3,367,289	$7,730,039	$6,000,629	$10,111,002	$16,111,631	$8,381,592
KS	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
KY	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
LA	$4,362,750	$4,546,754	$8,909,504	$8,362,750	$0	$8,362,750	-$546,754
ME	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
MI	$4,362,750	$8,123,989	$12,486,739	$6,000,629	$14,114,393	$20,115,022	$7,628,283
MO	$4,362,750	$10,473,154	$14,835,904	$6,000,629	$18,986,236	$24,986,865	$10,150,961
MP	$997,200	$0	$997,200	$2,635,078	$0	$2,635,078	$1,637,878
MS	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
MT	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
NC	$4,631,809	$4,285,035	$8,916,844	$6,862,750	$14,200,846	$21,063,596	$12,146,752
ND	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
NE	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
NH	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
NM	$4,362,750	$0	$4,362,750	$8,362,750	$0	$8,362,750	$4,000,000
NV	$4,362,750	$8,958,896	$13,321,646	$4,362,750	$10,954,761	$15,317,511	$1,995,865
OH	$5,643,542	$12,538,962	$18,182,504	$7,862,750	$32,893,878	$40,756,628	$22,574,124
OK	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
PA	$9,407,455	$23,181,198	$32,588,653	$11,362,750	$12,305,323	$23,668,073	-$8,920,580
PR	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
SC	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
SD	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
TN	$4,362,750	$4,150,624	$8,513,374	$6,000,629	$12,131,222	$18,131,851	$9,618,477
TX	$26,066,797	$53,412,309	$79,479,106	$28,759,327	$77,028,653	$105,787,980	$26,308,874
UT	$4,362,750	$0	$4,362,750	$6,000,628	$0	$6,000,628	$1,637,878
VA	$8,770,850	$11,867,416	$20,638,266	$11,362,750	$23,485,484	$34,848,234	$14,209,968
VI	$997,200	$0	$997,200	$2,635,078	$0	$2,635,078	$1,637,878
WI	$4,362,750	$3,086,934	$7,449,684	$6,000,629	$13,353,970	$19,354,599	$11,904,915
WV	$4,362,750	$0	$4,362,750	$6,000,629	$0	$6,000,629	$1,637,879
WY	$4,362,750	$0	$4,362,750	$6,000,628	$0	$6,000,628	$1,637,878

137. The three exceptions, the losing States in the above table, are Georgia, Louisiana, and Pennsylvania. DHS did not list these States as "sanctuary" jurisdictions, but the UASI cuts that they suffered were directed at listed "sanctuary" cities: Philadelphia, Atlanta, and New Orleans. *See* Ex. 8 at 6, 9, 15.

138. The four Plaintiff States with no net change were Connecticut, Delaware, Rhode Island, and Vermont. These four received the statutory minimum of "0.35 percent of the total funds appropriated," 6 U.S.C. § 605(e)(1)(A)(v), meaning $4,362,750 in fiscal year 2025. *See* Ex. 1 at 53–54. But nearly all other States (other than Plaintiff States) benefited from an elevated floor funding level that defendants apparently set at $6,000,629 (instead of the statutory minimum), as shown in the table above.[7] Connecticut, Delaware, Rhode Island, and Vermont were excluded from that elevated floor. These four States were also listed on DHS's now-removed list of "sanctuary" jurisdictions. *See* Ex. 8 at 5, 16.

139. No award notification provided any substantive explanation for the reallocation of HSGP funds. Instead, almost all reduced fields state only that the field has been "[a]djusted per DHS directive." The Illinois award letter contained this phrase, with no elaboration, 26 times. *See* Illinois HSGP Award (Ex. 11), at 9–53.

140. And, as noted, these massive reallocations occurred despite the fact that the relative risk scores of Plaintiff States and UASI jurisdictions in Plaintiff States remained largely unchanged from last year. *See supra* ¶¶ 114–115.

141. Plaintiff States have applied for funding under the HSGP program every year since its enactment during the Bush Administration. In that time, Plaintiff States have never seen a last-minute reallocation of this sort—one that deviates from the NOFO allocations for the transparent

[7] For Arkansas, Utah, and Wyoming, the floor was one dollar lower, $6,000,628.

purpose of rewarding States that align with the Administration's policy priorities and punishing those States that deviate from those priorities.

142. Indeed, in that time, Illinois has *never* seen a deviation from the NOFO that exceeds a nominal sum. In the eight prior years dating to 2017, including all of President Trump's first Administration, Illinois has seen a total of $0 in adjustments between the NOFO and the award for its SHSP and UASI funding lines, across all grants and across all years. The same is true of New York and California.

143. On information and belief, the drastic and unexplained reallocations of HSGP funds between the NOFO stage and the award stage is unprecedented in the history of post-September 11 emergency preparedness funding.

144. If not vacated, defendants' last-minute decision to reallocate funds from States that disagree with it and award those funds to other States—the Reallocation Decision—will cost Plaintiff States nearly $242 million in critical homeland-security funds as compared to the final FY 2025 NOFO.

145. If the changes that occurred between July 28, 2025, and August 1, 2025, are included—that is, the changes between version 2 of the HSGP NOFO and the final version—then the total injury inflicted on Plaintiff States rises to over $360 million.

H. The Reallocation Decision Is Unlawful And Should Be Vacated.

146. The Reallocation Decision is unlawful in multiple respects.

147. First, it exceeds defendants' statutory authority. DHS and its sub-agencies are "charged with administering congressional statutes," which means that "[b]oth their power to act and how they are to act is authoritatively prescribed by Congress." *City of Arlington v. FCC*, 569 U.S. 290, 297 (2013). "Any action that an agency takes outside the bounds of its statutory authority is ultra vires and violates the [APA]." *City of Providence v. Barr*, 954 F.3d 23, 31 (1st Cir. 2020)

(cleaned up); *see* 5 U.S.C. § 706(2)(C). The HSGP statute establishes a prescriptive list of factors that "the Administrator shall consider" "[i]n allocating funds among States and high-risk urban areas." 6 U.S.C. § 608(a). An unexplained "DHS directive" is not among them. Congress has specifically barred DHS from asserting some free-floating and, in any event, completely unspecified DHS directive, outside the confines of the HSGP statute, as a basis for tinkering with the allocations among the States.

148. Indeed—although defendants themselves have given no explanation at all for what they did—the facts are plain enough. Defendants discarded the relative risk scores that would have directed the funding levels for Plaintiff States and UASI jurisdictions in Plaintiff States remain constant. *See supra* ¶¶ 114–115. Disregarding the statutory factors, they considered the extra-statutory consideration of whether defendants regard the jurisdiction in question, or one of its subdivisions, as a "sanctuary" jurisdiction. *See supra* ¶¶ 132–133; *infra* ¶ 190.

149. Second, the Reallocation Decision was arbitrary and capricious. DHS effected drastic funding cuts without a word of explanation. The APA requires exactly the opposite. When changing positions, an agency must consider both the "alternatives that are within the ambit of the existing policy" and the "serious reliance interests" engendered by the status quo. *DHS v. Regents of the Univ. of Cal.*, 591 U.S. 1, 30 (2020) (cleaned up). The agency must not "entirely fail[] to consider an important aspect of the problem" or "rel[y] on factors which Congress has not intended it to consider." *Motor Vehicle Mfrs. Ass'n of the U.S. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983).

150. DHS has done both. The explanation that can be gleaned from circumstantial evidence is that DHS set out to punish States or municipalities that DHS views as having policies concerning law enforcement cooperation with federal immigration enforcement that it opposes.

That is an impermissible factor under the statute at issue. 6 U.S.C. § 608(a). In any event, DHS also did not explain its decision in any transparent way. Again, it simply said, over and over: "Adjusted per DHS directive." The APA requires far more when an agency proposes to so drastically disrupt existing reliance interests measured in the hundreds of millions of dollars.

151. The Reallocation Decision, if not vacated, will irreparably harm the Plaintiff States. For one, there is the simple loss of funds from a fixed-sum appropriation, which will be likely irrecoverable once disbursed to other grantees. More broadly, defendants' actions in this case undermine our "system of dual sovereignty between the States and the Federal Government," *Gregory v. Ashcroft*, 501 U.S. 452, 457 (1991), by punishing States for their sovereign choices about how to enforce state and local laws, keep public order, and "suppress[] violent crime," *Morrison*, 529 U.S. at 618. The impact of an invasion of state sovereignty "cannot be economically quantified" and thus constitutes irreparable harm. *Tennessee v. Dep't of Educ.*, 104 F.4th 577, 613 (6th Cir. 2024) (quoting *Kentucky v. Biden*, 23 F.4th 585, 611 n.19 (6th Cir. 2022)). States suffer an "irreparable" injury when forced to abandon their "sovereign interests and public policies." *Kansas v. United States*, 249 F.3d 1213, 1227 (10th Cir. 2001).

152. For these reasons, Plaintiff States seek declaratory and injunctive relief setting aside the Reallocation Decision and requiring DHS and FEMA to adhere to their responsibilities in allocating homeland-security funds.

I. Defendants Unlawfully Reduce The Period Of Performance On HSGP And EMPG Awards From Three Years To One Year and Change the EMPG Start Date.

153. Another dramatic shift that DHS effected between the NOFO stage and the award stage for preparedness grants is a sudden and unexplained reduction in the period of performance from three years to one year and a change to the funding's start date. These changes, made without

any explanation, will debilitate the ability of state agencies to implement the purposes of the HSGP and EMPG grants.

154. The term of FEMA preparedness awards has generally been three years, meaning that the award remains open for a three-year period for completing reimbursable activities. Any program activities supported by the awarded funds must be completed within the time the award remains open.

155. It is typical for FEMA preparedness awards to take several years to fully disburse. The HSGP and EMPG programs have used multi-year periods of performance, sometimes even longer than three years, for almost every year of their existence. Moreover, these programs fund essential ongoing operational needs of state and local public safety agencies. As a result, States have structured their budgeting systems for HSGP and EMPG grants around multi-year sub-obligation periods.

156. Consistent with that past practice, the fiscal year 2025 HSGP and EMPG NOFOs announced that there would be a three-year period of performance for both programs. Ex. 1 at 4; U.S. Dep't of Homeland Sec., *Notice of Funding Opportunity (NOFO): Fiscal Year 2025 Emergency Management Performance Grant* (Ex. 4), at 4.

157. Both NOFOs explained that applications should frame their budget needs by reference to the anticipated three-year period of performance. The HSGP NOFO stated that projects must be "able to be fully completed within the three-year period of performance." Ex. 1 at 38. The EMPG NOFO stated that "[e]ach goal must be specific, measurable, and achievable within the period of performance." Ex. 4 at 50.

158. Plaintiff States had each applied for EMPG funding under the FY 2025 NOFO on or before the August 11, 2025 deadline.

159. DHS issued award notifications under the EMPG program on or about September 26 and 27, 2025.

160. Yet, without explanation, when the HSGP and EMPG awards issued, the period of performance was reduced to one year on both HSGP and EMPG awards, running from October 1, 2025, to September 30, 2026.

161. As to EMPG in particular, its awards have historically been backdated to the start of the federal fiscal year, meaning October 1, 2024, for federal fiscal year 2025. DHS's decision to instead start the performance period on October 1, 2025—the first day of federal fiscal year 2026—without any explanation and in departure from past years, has effectively skipped an entire year of program funding.

162. Plaintiff States have not yet ratified their EMPG awards by counter-signature through the FEMAGo system.

163. On information and belief, defendants reduced the period of performance in this manner as to all States, not just disfavored "sanctuary" jurisdictions.

164. That unreasoned decision to shorten and move the period of performance was arbitrary. All States submitted applications in reliance on the specific statements in the NOFOs, *supra* ¶¶ 156–157, calling for three years of project planning. In addition, all States have substantial outstanding funds from prior grant years that must also be obligated in this upcoming fiscal year, creating a direct collision between prior-year funds and new funds.

165. The reduced performance period also exacerbates the injury to the Plaintiff States that received a reduced allocation. Plaintiff States constructed their projects based on the expectation that they would receive the full amount set forth in the NOFO. Now Plaintiff States would have to redo those projects and ask their subrecipients to redo their budgets to align with

the significantly reduced amounts. Only then would Plaintiff States be able to seek approval from FEMA to remove a hold on funds. This process could take several months, thus curtailing the Plaintiff States' ability to draw down the funds within the reduced one-year performance period.

166. An agency must provide "reasoned explanation" for departing from prior policy and must provide "a more detailed justification than what would suffice for a new policy" when "its prior policy has engendered serious reliance interests that must be taken into account." *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009). DHS did not do so here, or even attempt to do so.

J. Defendants Unlawfully Freeze EMPG Funding Already Awarded to Plaintiff States Until Plaintiff States Satisfy a Novel Population Certification Requirement.

167. In late September, DHS issued letters notifying Plaintiff States that they had been awarded EMPG funding for fiscal year 2025. Collectively, the award letters informed Plaintiff States they had been awarded just under $100 million in funds. These award letters did not contain any population certification requirement or any funding holds; each letter contained the allocated amount due to the state per statutory formula. 6 U.S.C. § 762(d).

168. On or around September 30, 2025—three days after Plaintiff States had received their initial EMPG award letters, and a day after Plaintiff States filed their original complaint——DHS re-issued revised EMPG grant award letters with yet another sudden and unexplained modification: the Population Certification Requirement. The revised EMPG award letters notified recipient States that FEMA had placed a funding hold on the award, prohibiting States from "obligating, expending, or drawing down the funds associated with the award." Illinois EMPG Award (Ex. 12), at 30. To end this funding freeze, the revised award requires each recipient State to "provide a certification of the recipient [S]tate's population as of September 30, 2025," "certify that its reported population does not include individuals that have been removed from the State

pursuant to the immigration laws of the United States," and "explain the methodology it used to determine its population." *Id.*

169. The award letters mandate that each State's awarded EMPG funding for fiscal year 2025 will remain frozen until FEMA reviews and approves a State's population certification and methodology for determining its population. *Id.*

170. FEMA gave no explanation for the Population Certification Requirement either in the provision describing the Requirement or anywhere else in the EMPG award letter. *See id.*

171. This is the first time FEMA has required States to certify their populations as a condition of the EMPG grant.

172. On information and belief, for all EMPG awards before fiscal year 2025, FEMA allocated appropriated EMPG funds using U.S. census data, consistent with the EMPG authorizing statute. FEMA even issued EMPG award letters with this population-based allocation.

173. Many States lack independent state agencies tasked with or capable of tallying the state population. For all Plaintiff States, it would be impossible to tally the State's population as of September 30, 2025, minus the population removed pursuant to federal immigration laws. Plaintiff States do not have records of the number of "individuals that have been removed from the State pursuant to the immigration laws of the United States." This information is in the possession of the federal government and is not relayed or reported to Plaintiff States. Moreover, any process to tally the State's population on a specific day would take significant time and resources—several months, at minimum. Even if Plaintiff States had access to all relevant data, no Plaintiff State could practicably tally the State's population as of September 30, 2025, in a quick enough manner to timely fund the emergency preparedness projects that rely upon EMPG funding.

174. The Population Certification Requirement is unlawful for several reasons. First, it violates federal statutes that require defendants to rely upon U.S. census data when "administering any law of the United States in which population" is "used to determine the amount of benefit received by State[s]." 13 U.S.C. § 183(a); *see* 6 U.S.C. § 762(d)(2) (requiring EMPG funding to be awarded based on a ratio comparing the "population of each State" to "the population of all States"). Defendants violate these requirements by requiring Plaintiff States to calculate and certify this data—rather than relying upon U.S. census data already available to defendants.

175. Second, defendants failed to observe the Paperwork Reduction Act's procedural requirements when seeking to collect information from the States through the Population Certification Requirement. Congress enacted the Act, in part, to "minimize the paperwork burden for . . . State, local, and tribal governments . . . resulting from the collection of information by or for the Federal Government" and to "maximize the utility of information created, collected, maintained, used, shared and disseminated by . . . the Federal Government." 44 U.S.C. § 3501(1)-(2); *see also Dole v. United Steelworkers of Am.*, 494 U.S. 26, 32–33 (1990) ("The Act prohibits any federal agency from adopting regulations which impose paperwork requirements on the public unless the information is not available to the agency from another source within the Federal Government . . . .").

176. Before conducting a "collection of information," the Paperwork Reduction Act requires defendants to follow certain procedures, including providing notice of the proposed collection in the Federal Register, soliciting and evaluating public comments, and certifying to the Office of Management and Budget that the collection of information is "not unnecessarily duplicative of information otherwise reasonably accessible to the agency." 44 U.S.C. § 3506(c). Yet defendants failed to comply, or even attempt to comply with, any of the Act's procedural

requirements. *See Orr v. Trump*, 778 F. Supp. 3d 394, 425 (D. Mass. 2025) (finding plaintiffs likely to succeed on 5 U.S.C. § 706(2)(D) claim for violation of Paperwork Reduction Act); *Am. Fed'n of Tchrs. v. Dep't of Educ.*, ___ F. Supp. 3d ___, 2025 WL 2374697, at *19 (D. Md. Aug. 14, 2025) (granting plaintiffs summary judgment, in part, on similar grounds).

177. Third, the unreasoned and unexplained Population Certification Requirement is arbitrary and capricious in violation of the APA. In imposing the Population Certification Requirement, defendants relied on factors which Congress had not intended them to consider. The allocation formula in the EMPG authorizing statute requires a uniform system of calculating state population consistent with the methodology of calculating national population. *See* 6 U.S.C. § 762(d)(2). Further, defendants entirely failed to consider that the Population Certification Requirement cannot practically be implemented. Defendants do not provide a definition of the data they are seeking. And Plaintiff States do not have data on the number of people removed from the State by federal immigration enforcement; defendants do.

178. Defendants also entirely failed to consider the legitimate reliance Plaintiff States had on receiving EMPG funds at the start of the fiscal year. All States submitted applications with the expectation that FEMA would allocate funds without the need for States to calculate or certify their population, as has been the case for every prior fiscal year. Indeed, FEMA allocated the appropriated EMPG funds in its award letters without the need for duplicative reporting by the States.

179. The funding hold further exacerbates the injury to Plaintiff States caused by the reduced and changed EMPG period of performance. It will take months before Plaintiff States can even estimate their populations on a specific date, further reducing the time Plaintiff States will have to draw down their funds. And it may be impossible for Plaintiff States to comply with this

requirement to release the funding hold. The EMPG award letter does not define how to determine the amount of "individuals that have been removed from the State pursuant to the immigration laws of the United States." Ex. 12 at 30. Further, Plaintiff States do not, and are unable to, track the number of people removed from each State by federal immigration enforcement. Defendants presumably have these figures, but do not make this information readily available to Plaintiff States.

180. An agency must provide a "reasoned explanation" for departing from prior policy and must provide "a more detailed justification than what would suffice for a new policy" when "its prior policy has engendered serious reliance interests that must be taken into account." *Fox Television Stations*, 556 U.S. at 515. DHS did not do so here, or even attempt to.

K. Plaintiff States Bring This Suit.

181. Plaintiff States originally filed this suit on an emergency basis on Monday, September 29, the penultimate day of the federal fiscal year. ECF 1. This Court issued temporary relief to freeze matters in place and preserve its ability to adjudicate the merits of Plaintiff States' claims. ECF 14. In particular, the Court issued immediate relief that prevented the statutory lapse of any funds at issue in this suit. *See id.* ¶ 4.

182. On October 7, 2025, defendants filed a motion to reconsider the Court's temporary restraining order, asking the Court to narrow the application of the order to contested funds and to eliminate the order's requirement that defendants rescind 2025 HSGP award notifications and de-obligate the associated funds. ECF 27.

183. Plaintiffs opposed defendants' request to eliminate the requirement to rescind and de-obligate, but they agreed to limit the temporary restraining order to the $245,565,440 that was subject to the Reallocation Decision. ECF 28.

184. On October 21, 2025, the Court issued a revised temporary restraining order that narrowed the scope of the order to the contested funds but did not otherwise change defendants' obligations with respect to those funds. ECF 31.

L. Final Judgment Is Entered Against Defendants In *New York v. Noem*.

185. At the same time that defendants reallocated HSGP funds away from States and subdivisions that they disfavor, defendants did substantially the same thing to New York State's Metropolitan Transit Authority ("MTA"), taking $34 million in funds that had been preliminary allocated to the MTA under the Transit Security Grant Program ("TSGP") and providing those funds to other public-transit agencies across the United States. FEMA did not even inform New York of its decision; instead, the State learned of it on September 30, 2025, the last day of the federal fiscal year, through public reporting.

186. New York sued in the Southern District of New York, claiming the TSGP reallocation was contrary to law and arbitrary and capricious, and New York also sought a temporary restraining order. *See New York v. Noem*, No. 25-cv-08106 (S.D.N.Y.) (filed Sept. 30, 2025).

187. The court granted that temporary restraining order on October 1, 2025.

188. The court ordered a briefing schedule on New York's motion, construing the motion as one for preliminary injunction, with briefing to conclude by October 8, 2025.

189. On October 3, 2025, the New York Times reported that the Trump Administration would restore $187 million in cuts it had made to law enforcement funding in New York. Grace Ashford & Tyler Pager, *Trump Administration Reverses $187 Million in N.Y. Counterterrorism Cuts*, N.Y. Times, (Oct. 3, 2025).[8] The New York Times, citing "White House officials," reported

[8] https://www.nytimes.com/2025/10/03/nyregion/trump-new-york-counterterrorism-funds.html.

that the cuts were made "without explanation and without the approval of President Trump." *Id*. The cuts reportedly reversed by President Trump included "rolling cuts made to the Homeland Security Grant Program," including "$100 million slashed over the weekend." *Id*. The reported $187 million in funds reportedly restored to New York is roughly equivalent to the $86,979,878 reduction in HSGP funds New York received from the 2024 NOFO to the 2025 NOFO, plus the $102,686,919 in funds allocated away from New York due to the Reallocation Decision. *See supra* ¶¶ 109–110, 128.

190. On October 6, 2025, in a sworn declaration opposing New York's preliminary-injunction motion, defendants admitted that they eliminated MTA's funding allocation because it is "based in New York City, a designated Sanctuary Jurisdiction city." Declaration of David Arnold, *New York v. Noem*, ECF 24 (S.D.N.Y. Oct. 6, 2025).

191. On October 16, 2025, the court in *New York v. Noem* entered final judgment in that matter, finding that DHS and FEMA's reallocation of TSGP funds was arbitrary and capricious and contrary to law. *New York v. Noem*, No. 25-cv-8106, 2025 WL 2939119, at *1 (S.D.N.Y. Oct. 16, 2025). The court explained that TSGP requires the DHS Secretary to select recipients of grants based "solely on risk," but the reallocation of TSGP was not based on risk. *Id.* at *8–9. HSGP contains similar requirements to allocate funds based on risk. *See supra* ¶¶ 43, 54, 111. Furthermore, the court concluded that DHS failed to provide a reasoned explanation for its reallocation of TSGP funds. *Id.* at *9.

FIRST CAUSE OF ACTION

Violation of the Administrative Procedure Act
Arbitrary and Capricious Agency Action (Reallocation Decision)

192. Plaintiffs reallege and incorporate by reference the allegations set forth in each of the preceding paragraphs.

193. Defendants DHS and FEMA are "agencies" under the APA, 5 U.S.C. § 551(1), and the Reallocation Decision is an "agency action" under the APA, *id.* § 551(13).

194. Under the APA, a court must set aside final agency action that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law." 5 U.S.C. § 706(2)(A); *see State Farm*, 463 U.S. at 52 (agency action must be supported by a "rational connection between the facts found and the choice made"); *Fox Television Stations*, 556 U.S. at 515 (an agency must provide a "reasoned explanation" for departing from a prior policy and must provide "a more detailed justification than what would suffice for a new policy" when "its prior policy has engendered serious reliance interests that must be taken into account"); *FDA v. Wages & White Lion Invs., LLC*, 145 S. Ct. 898, 917 (2025) (similar).

195. Defendants failed to comply with these bedrock requirements in making the Reallocation Decision in multiple respects.

196. First, defendants provided no explanation for why they reallocated funding away from many Plaintiff States. Agencies may not keep the reasons for their decisions secret. *See Dep't of Com. v. New York*, 588 U.S. 752, 785 (2019).

197. Second, defendants abandoned the risk allocation set out in the NOFO without explanation. DHS's own regulations require the NOFO to disclose "the expected dollar values of individual awards" up front. 2 C.F.R. §§ 200.204(a)(6), 3002.10. Despite this requirement, the HSGP awards differ drastically from the NOFO's dollar values. In making such a drastic policy change, an agency must "articulate a satisfactory explanation for its action." *Fox Television Stations*, 556 U.S. at 513. Defendants have provided no such explanation.

198. Third, defendants relied on an extra-statutory factor when making the Reallocation Decision. Congress provided a list of factors FEMA "shall consider" when allocating HSGP funds.

6 U.S.C. § 608(a). A state or local government's perceived willingness to enforce federal immigration law is not one of those statutory factors. *Id*. Yet DHS ordered the reallocation of HSGP funds based on whether DHS believes that the recipient has policies DHS dislikes. An agency cannot "create qualification requirements unrelated to [a statutory] grant program simply to advance its own policy priorities." *Providence*, 954 F.3d at 39; *see also, e.g., State Highway Comm'n v. Volpe*, 479 F.2d 1099, 1114 (8th Cir. 1973) (agency cannot set spending requirements "remote and unrelated" to underlying statute).

199. Fourth, defendants entirely failed to consider Plaintiff States' legitimate reliance on the allocations contained in the NOFO and dictated by federal law. Before an agency adopts a new policy, it must "assess whether there were reliance interests, determine whether they were significant, and weigh any such interests against competing policy concerns." *Regents*, 591 U.S. at 33. Here, States have structured budgets in reliance on the money they expect to receive from DHS-administered grants, including HSGP. To change those funding levels, without notice or explanation, disrupts the operation of crucial emergency preparedness programs in Plaintiff States.

200. The Reallocation Decision will cause harm to Plaintiff States and their residents.

201. Pursuant to 5 U.S.C. § 706 and 28 U.S.C. § 2201, Plaintiff States are entitled to a declaration that defendants' actions in implementing and maintaining the Reallocation Decision violate the APA because they are arbitrary and capricious and a preliminary and permanent injunction preventing defendants from putting this condition into effect. The Reallocation Decision therefore must be set aside under the APA.

SECOND CAUSE OF ACTION

***Ultra Vires* Agency Action Not Authorized by Congress (Reallocation Decision)**

202. Plaintiffs reallege and incorporate by reference the allegations set forth in each of the preceding paragraphs.

203. An executive agency "literally has no power to act . . . unless and until Congress confers power upon it." *La. Pub. Serv. Comm'n v. FCC*, 476 U.S. 355, 374 (1986).

204. Defendants may exercise only that authority that is conferred by statute. *See City of Arlington*, 569 U.S. at 297 (federal agencies' "power to act and how they are to act is authoritatively prescribed by Congress, so that when they act improperly, no less than when they act beyond their jurisdiction, what they do is ultra vires").

205. Federal courts possess the power in equity to grant injunctive relief "with respect to violations of federal law by federal officials." *Armstrong v. Exceptional Child Ctr., Inc.*, 575 U.S. 320, 326–27 (2015). Indeed, the Supreme Court has repeatedly allowed equitable relief against federal officials who act "beyond th[e] limitations" imposed by federal statute. *Larson v. Domestic & Foreign Com. Corp.*, 337 U.S. 682, 689 (1949).

206. Defendants lack the statutory authority to make the Reallocation Decision. The HSGP statute establishes a prescriptive list of factors that the FEMA Administrator must consider in allocating funds among States and high-risk urban areas. *See* 6 U.S.C. § 608(a). None of those factors include FEMA's perception of state or local policies concerning cooperation with federal immigration officials.

207. Defendants did not make the Reallocation Decision pursuant to the statutory factors, but instead they acted pursuant to a free-standing DHS directive.

208. Defendants also acted contrary to the residual clause of the HSGP statue, which permits allocation decisions pursuant to "such other factors as are specified in writing by the Administrator" that are relevant to assessing a jurisdiction's "relative threat, vulnerability, and consequences from acts of terrorism." 6 U.S.C. § 608(a)(1)(K). A jurisdiction's purported "sanctuary" status has no bearing on the risk of terrorism. In addition, defendants specified nothing

in writing regarding the Reallocation Decision and acted pursuant to a directive from DHS, rather than from the FEMA Administrator.

209. In making the Reallocation Decision, defendants exceeded the statutory authority granted to DHS by Congress. The Reallocation Decision is therefore an *ultra vires* executive agency action.

210. The Reallocation Decision will cause harm to Plaintiffs and their residents.

THIRD CAUSE OF ACTION

Violation of Administrative Procedure Act
Agency Action in Excess of Statutory Authority (Reallocation Decision)

211. Plaintiffs reallege and incorporate by reference the allegations set forth in each of the preceding paragraphs.

212. Defendants DHS and FEMA are "agencies" under the APA, 5 U.S.C. § 551(1), and the Reallocation Decision is an "agency action" under the APA, *id.* § 551(13).

213. The APA requires that a court set aside agency action that is "in excess of statutory jurisdiction, authority, or limitations, or short of statutory right." 5 U.S.C. § 706(2)(C).

214. Defendants lack the statutory authority to make the Reallocation Decision. The HSGP statute does not permit DHS to reallocate funds based on secret "DHS directive" or pursuant to DHS's beliefs about any state or local policies concerning cooperation with federal immigration enforcement.

215. The Reallocation Decision will cause harm to Plaintiffs and their residents.

216. Pursuant to 5 U.S.C. § 706 and 28 U.S.C. § 2201, Plaintiff States are entitled to a declaration that defendants' actions in implementing and maintaining the Reallocation Decision violate the APA because they are contrary to law, and a preliminary and permanent injunction

preventing defendants from putting this condition into effect. The Reallocation Decision therefore must be set aside under the APA.

FOURTH CAUSE OF ACTION

Violation of Administrative Procedure Act
Agency Action Without Observance of Required Procedure (Reallocation Decision)

217. Plaintiffs reallege and incorporate by reference the allegations set forth in each of the preceding paragraphs.

218. Defendants DHS and FEMA are "agencies" under the APA, 5 U.S.C. § 551(1), and the Reallocation Decision is an "agency action" under the APA, *id.* § 551(13).

219. The APA requires that a court set aside agency action that is "without observance of procedure required by law." 5 U.S.C. § 706(2)(D).

220. Defendants made the Reallocation Decision pursuant to a secret "DHS Directive," issued after the HSGP NOFOs were posted to States.

221. The HSGP statute does not permit DHS to relocate funds pursuant to a secret directive. Instead, funds must be allocated pursuant to statutory formula. When FEMA considers an additional factor in making an allocation decision, the FEMA Administrator must specify that factor in writing. 6 U.S.C. § 608(a)(1)(K). The FEMA Administrator has specified no such additional factor in writing.

222. The Reallocation Decision will cause harm to Plaintiffs and their residents.

223. Pursuant to 5 U.S.C. § 706 and 28 U.S.C. § 2201, Plaintiff States are entitled to a declaration that defendants' actions in implementing and maintaining the Reallocation Decision violate the APA because they were made without observance of required procedure, and a preliminary and permanent injunction preventing defendants from putting this condition into effect. The Reallocation Decision therefore must be set aside under the APA.

FIFTH CAUSE OF ACTION

Violation of the Administrative Procedure Act
Arbitrary and Capricious Agency Action (Performance Period Decision)

224. Plaintiffs reallege and incorporate by reference the allegations set forth in each of the preceding paragraphs.

225. Defendants DHS and FEMA are "agencies" under the APA, 5 U.S.C. § 551(1), and the Performance Period Decision is an "agency action" under the APA, *id.* § 551(13).

226. Under the APA, a court must set aside final agency action that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law," 5 U.S.C. § 706(2)(A); *see State Farm*, 463 U.S. at 52 (agency action must be supported by a "rational connection between the facts found and the choice made"); *Fox Television Stations*, 556 U.S. at 515 (an agency must provide a "reasoned explanation" for departing from prior policy and must provide "a more detailed justification than what would suffice for a new policy" when "its prior policy has engendered serious reliance interests that must be taken into account"); *Wages & White Lion Invs.*, 145 S. Ct. at 917 (similar).

227. Defendants failed to comply with these bedrock requirements in making the Performance Period Decision.

228. First, defendants provided no explanation for why they truncated the performance period for HSGP and EMPG grants from three years to one year, after announcing a three-year period of performance in the NOFOs. Nor did defendants explain why they started the EMPG period of performance on October 1, 2025, after announcing October 1, 2024, as the start date in the NOFO. Agencies may not keep the reasons for their decisions secret. *See Dep't of Com.,* 588 U.S. at 785.

229. Second, defendants entirely failed to consider the legitimate reliance Plaintiff States had on the period of performance announced in the NOFO. Before an agency adopts a new policy, it must "assess whether there were reliance interests, determine whether they were significant, and weigh any such interests against competing policy concerns." *Regents*, 591 U.S. at 33. Here, States proposed projects for spending HSGP and EMPG funds in reliance on the announcement that there would be a three-year period of performance. Such reliance was reasonable, as States had never seen a post-NOFO reduction in performance period on either of these grants. Yet defendants never considered such reliance when making the Performance Period Decision.

230. Further, States and their subgrantees incurred expenses from October 1, 2024, to September 30, 2025, that they reasonably believed based on past practice would fall within the period of performance for the FY 2025 EMPG awards. These expenses covered essential aspects of States' and counties' emergency response operations. In moving the beginning of the performance period from October 1, 2024, to October 1, 2025, defendants failed to consider these reliance interests or the harms that would follow from excluding expenses incurred between October 1, 2024, and September 30, 2025 from the FY 2025 awards.

231. The Performance Period Decision will cause harm to Plaintiffs and their residents.

232. Pursuant to 5 U.S.C. § 706 and 28 U.S.C. § 2201, Plaintiff States are entitled to a declaration that defendants' actions in implementing and maintaining the Performance Period Decision violate the APA because they are arbitrary and capricious and a preliminary and permanent injunction preventing defendants from putting this condition into effect. The Performance Period Decision therefore must be set aside under the APA.

SIXTH CAUSE OF ACTION

Violation of the Administrative Procedure Act
Agency Action in Excess of Statutory Authority (Population Certification Requirement)

233. Plaintiffs reallege and incorporate by reference the allegations set forth in each of the preceding paragraphs.

234. Defendants DHS and FEMA are "agencies" under the APA, 5 U.S.C. § 551(1), and the Population Certification Requirement is an "agency action" under the APA, *id.* § 551(13).

235. The APA requires that a court set aside agency action that is "in excess of statutory jurisdiction, authority, or limitations, or short of statutory right." 5 U.S.C. § 706(2)(C).

236. Defendants' Population Certification Requirement violates statutory requirements. When "administering any law of the United States in which population" is "used to determine the amount of benefit received by State[s]," the federal government must use "the data most recently produced and published" by the federal census bureau. 13 U.S.C. § 183(a). The EMPG statute is one such federal law that requires the amount of benefit awarded to the States to be determined based on "population." 6 U.S.C. § 762(d)(2).

237. The Population Certification Requirement harms Plaintiffs and their residents.

238. Pursuant to 5 U.S.C. § 706 and 28 U.S.C. § 2201, Plaintiff States are entitled to a declaration that defendants exceeded statutory authority by requiring States to determine and certify their population totals as a condition on the EMPG grant, contrary to the statutory requirement that defendants use federal census data, and a preliminary and permanent injunction preventing defendants from putting this condition into effect. The Population Certification Requirement therefore must be set aside under the APA.

SEVENTH CAUSE OF ACTION

Violation of the Administrative Procedure Act
Arbitrary and Capricious Agency Action (Population Certification Requirement)

239. Plaintiffs reallege and incorporate by reference the allegations set forth in each of the preceding paragraphs.

240. Defendants DHS and FEMA are "agencies" under the APA, 5 U.S.C. § 551(1), and the Population Certification Requirement is an "agency action" under the APA, *id.* § 551(13).

241. Under the APA, a court must set aside final agency action that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law," 5 U.S.C. § 706(2)(A); *see State Farm*, 463 U.S. at 43 (agency action is arbitrary and capricious when it "is so implausible that it could not be ascribed to a difference in view or the product of agency expertise"); *Fox Television Stations*, 556 U.S. at 515 (an agency must provide a "reasoned explanation" for departing from prior policy and must provide "a more detailed justification than what would suffice for a new policy" when "its prior policy has engendered serious reliance interests that must be taken into account"); *FDA v. Wages & White Lion Invs., LLC*, 145 S. Ct. at 917 (similar). An agency's action is arbitrary and capricious when it "has relied on factors which Congress has not intended it to consider, entirely failed to consider an important aspect of the problem, [or] offered an explanation for its decision that runs counter to the evidence before the agency, or [that] is so implausible that it could not be ascribed to a difference in view or the product of agency expertise." *State Farm*, 463 U.S. at 43.

242. Defendants failed to comply with these bedrock requirements in imposing the Population Certification Requirement.

243. First, in imposing the Population Certification Requirement, defendants relied on factors which Congress "has not intended [them] to consider." *Id.* The allocation formula in the

EMPG statute requires a uniform system of calculating state population consistent with the methodology of calculating national population. *See* 6 U.S.C. § 762(d)(2).

244. Second, defendants provided no explanation for why they placed a funding hold on EMPG grants conditioned on States' certification of their populations. Agencies may not keep the reasons for their decisions secret. *See Dep't of Com.*, 588 U.S. at 785.

245. Third, defendants entirely failed to consider that the Population Certification Requirement cannot practically be implemented. Defendants do not provide a definition of the data they are seeking. Plaintiff States do not have data on the number of people removed from the State by federal immigration enforcement; defendants do. And even if the data sought by defendants were clearly defined and available to Plaintiff States, Plaintiff States would need months to make an estimate of their state populations on any given day.

246. Fourth, defendants entirely failed to consider Plaintiff States' legitimate reliance on receiving EMPG funds at the start of the fiscal year. Before an agency adopts a new policy, it must "assess whether there were reliance interests, determine whether they were significant, and weigh any such interests against competing policy concerns." *Regents*, 591 U.S. at 33. Here, Plaintiff States proposed projects utilizing EMPG funds in reliance on FEMA's making these funds available at the start of the fiscal year. Such reliance was reasonable, as States had never seen a funding hold conditioned on the provision of information already possessed by defendants. The funding hold will further delay the disbursement of EMPG funds and require even further revision of State and subgrantee projects. Yet, defendants never considered such reliance when making the Population Certification Requirement.

247. The Population Certification Requirement harms Plaintiff States and their residents.

248. Pursuant to 5 U.S.C. § 706 and 28 U.S.C. § 2201, Plaintiff States are entitled to a declaration that defendants' actions in implementing and maintaining the Population Certification Requirement violate the APA because they are arbitrary and capricious, and a preliminary and permanent injunction preventing defendants from putting this condition into effect. The Population Certification Requirement therefore must be set aside under the APA.

EIGHTH CAUSE OF ACTION

Violation of the Administrative Procedure Act
Agency Action Without Observance of Required Procedure (Population Certification Requirement)

249. Plaintiffs reallege and incorporate by reference the allegations set forth in each of the preceding paragraphs.

250. Defendants DHS and FEMA are "agencies" under the APA, 5 U.S.C. § 551(1), and the Population Certification Requirement is an "agency action" under the APA, *id.* § 551(13).

251. The APA requires that a court set aside agency action that is "without observance of procedure required by law." 5 U.S.C. § 706(2)(D).

252. By conditioning the release of EMPG funds on Plaintiff States' reporting and certification of their populations on September 30, 2025, defendants are engaging in a "collection of information" as defined by the Paperwork Reduction Act. 44 U.S.C. § 3502(3).

253. In order to engage in a "collection of information" under the Paperwork Reduction Act, defendants must follow certain procedures, including providing notice of the proposed collection in the Federal Register, soliciting and evaluating public comments, and certifying to the Office of Management and Budget that the collection of information is "not unnecessarily duplicative of information otherwise reasonably accessible to the agency," among other requirements. *Id.* § 3506(c). Defendants have not followed any of these requirements in imposing the Population Certification Requirement.

254. The Population Certification Requirement harms Plaintiff States and their residents.

255. Pursuant to 5 U.S.C. § 706 and 28 U.S.C. § 2201, Plaintiff States are entitled to a declaration that by imposing the Population Certification Requirement, defendants did not observe the procedure required by Congress, and a preliminary and permanent injunction preventing defendants from putting this condition into effect. The Population Certification Requirement therefore must be set aside under the APA.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiffs pray that the Court:

a. Enter judgment for Plaintiff States and against defendants;

b. Declare that the Reallocation Decision is unlawful because it violates the APA and is *ultra vires*;

c. Set aside the Reallocation Decision;

d. Direct defendants to obligate fiscal year 2025 Homeland Security Grant Program funds to reflect the fiscal year 2025 notice of funding opportunity;

e. Enjoin DHS and FEMA from disbursing, processing, returning to the U.S. Treasury, or otherwise making unavailable by any means all fiscal year 2025 Homeland Security Grant Program funds to the full extent necessary to permit obligation of revised Homeland Security Grant Program awards to Plaintiff States at the levels of the target allocations specified in the fiscal year 2025 Homeland Security Grant Program notice of funding opportunity;

f. Continue to suspend the September 30, 2025, statutory lapse of Homeland Security Grant Program funds to the full extent necessary to permit obligation of revised Homeland Security Grant Program awards to Plaintiff States at the levels of the target

allocations specified in the fiscal year 2025 Homeland Security Grant Program notice of funding opportunity;

g. Set aside the Performance Period Decision and direct defendants to re-issue award notifications that reflect a three-year performance period;

h. Set aside the Population Certification Requirement and direct defendants to re-issue Emergency Management Performance Grant award notifications that exclude that condition;

i. Enjoin defendants against enforcing by any means against Plaintiff States and their instrumentalities and subdivisions the Emergency Management Performance Grant award terms titled "Verification of a State's Population" or any materially similar terms requiring self-certification of a State's population as a condition on the receipt of federal funds;

j. Direct defendants to disburse, in the ordinary course, all allowable costs for which Plaintiff States seek payment from their fiscal year 2025 Homeland Security Grant Program and Emergency Management Performance Grant awards on behalf of themselves and their sub-grantees;

k. Retain jurisdiction to monitor defendants' compliance with this Court's judgment;

l. Award the States their reasonable fees, costs, and expenses, including attorneys' fees, pursuant to 28 U.S.C. § 2412; and

m. Award such additional relief as this Court may deem just and proper.

October 24, 2025

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 1

U.S. Dep't of Homeland Sec., *Notice of Funding Opportunity (NOFO): Fiscal Year 2025 Homeland Security Grant Program* (August 1, 2025 Version 3)

The Department of Homeland Security (DHS)

Notice of Funding Opportunity (NOFO)

Fiscal Year 2025 Homeland Security Grant Program

Fraud, waste, abuse, mismanagement, and other criminal or noncriminal misconduct related to this program may be reported 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.

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1. Basic Information

A. Agency Name	U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA)
B. NOFO Title	Fiscal Year 2025 Homeland Security Grant Program (HSGP) • State Homeland Security Grant Program (SHSP) • Urban Area Security Initiative (UASI) • Operation Stonegarden (OPSG)
C. Announcement Type	Initial
D. Funding Opportunity Number	DHS-25-GPD-067-00-98
E. Assistance Listing Number	97.067
F. Expected Total Funding	$1,008,000,000 See Appendix A for the FY 2025 HSGP funding target allocation tables.
G. Anticipated Number of Awards	56 awards
H. Expected Award Range	SHSP: $997,200 - $61,229,940 UASI: $3,086,934 - $92,180,364 OSGP: $0 or $200,000 - $33,708,000
I. Projected Application Start Date	07/28/2025 4:00 p.m. Eastern Time (ET)
J. Projected Application End Date	08/15/2025 05:00 p.m. Eastern Time (ET)
K. Anticipated Funding Selection Date	No later than 08/23/2025
L. Anticipated Award Date	No later than 09/30/2025
M. Projected Period of Performance Start Date	09/01/2025
N. Projected Period of Performance End Date	08/31/2028
O. Executive Summary	HSGP strengthens the nation's capacity to prevent, prepare for, protect against, and respond to acts of terrorism and other catastrophic events through the following three components:

	• SHSP: Supports the implementation of risk-driven, capabilities-based State Homeland Security Strategies to address capability targets. • UASI: Focuses on high-risk Urban Area efforts to address their unique security needs. • OPSG: Enhances cooperation and coordination among state, local, tribal, territorial, and federal law enforcement agencies to jointly enhance security along the United States land and water borders.
P. Agency Contact	**a.** ***Program Office Contact*** FEMA has assigned Preparedness Officers to each state for the HSGP. If you are unsure who your Preparedness Officer is, please contact FEMA Grants News by phone at (800) 368-6498 or by email at fema-grants-news@fema.dhs.gov, Monday through Friday, 9:00 AM – 5:00 PM ET. **b.** ***FEMA Grants News*** 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. FEMA Grants News Team is reachable at fema-grants-news@fema.dhs.gov. OR (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET. **c.** ***Grant Programs Directorate's (GPD) Award Administration Division*** GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. AAD can be contacted at ASK-GMD@fema.dhs.gov. **d.** ***FEMA Regional Offices*** FEMA Regional Offices also may provide fiscal support, including pre- and post-award administration and technical assistance. FEMA Regional Office contact information is available at https://www.fema.gov/fema-regional-contacts. **e.** ***Civil Rights*** Consistent with Executive Order 14173, Ending Illegal Discrimination & Restoring Merit-Based Opportunity, the FEMA Office of Civil Rights is responsible for ensuring compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA. They are reachable at FEMA-CivilRightsOffice@fema.dhs.gov. **f.** ***Environmental Planning and Historic Preservation*** The FEMA Office of Environmental Planning and Historic Preservation (OEHP) provides guidance and information about the

	EHP review process to FEMA programs and recipients and subrecipients. Send any inquiries regarding compliance for FEMA grant projects under this NOFO to FEMA-OEHP-NOFOQuestions@fema.dhs.gov. **h. *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. **i. *FEMA Preparedness Toolkit*** The FEMA Preparedness Toolkit (PrepToolkit) provides access to tools and resources needed to implement the National Preparedness System and provide a collaborative space for communities completing the Unified Reporting Tool (URT). Recipients complete and submit their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR), and other required assessments using the PrepToolkit. For assistance, contact support@preptoolkit.fema.dhs.gov. **j. *Preparedness Grants Manual*** Recipients seeking guidance on policies and procedures for managing preparedness grants should reference the Preparedness Grants Manual at Preparedness Grants Manual.

2. Eligibility

A. Eligible Entities/Entity Types	Only the following entities or entity types are eligible to apply. **a. *Applicants*** 1. Eligible Applicants The State Administrative Agency (SAA) is the only entity eligible to submit HSGP applications to DHS/FEMA. HSGP funds are provided to SAAs, which manage and distribute the funds within their respective states or territories. SAAs issue subawards to local governments and other eligible organizations, ensuring that resources reach areas that need them to enhance security and disaster response. For this funding opportunity, the term "state" includes all U.S. states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Tribal governments are not eligible to apply directly for HSGP funding but may receive funding through their state's SAA.

b. ***Subapplicants***

SAAs distribute HSGP funds through subawards to other state, local, or tribal organizations. These organizations, called subrecipients, use the funds to improve local and regional security efforts.

1. Subrecipient Eligibility

Under HSGP, FEMA provides funds to each state's SAA. The SAA distributes these funds to other state or local organizations, such as city agencies or county departments. These distributed funds are called subawards, and the organizations receiving them are referred to as subrecipients.

- SHSP: All U.S. states and territories listed above are eligible. Tribal governments must work through their state's SAA.
- UASI: FEMA identifies high-risk urban areas based on terrorism risk. SAAs distribute subawards to these designated urban areas. See Appendix 11.B. for the complete list.
- OPSG: Eligible subrecipients include county-level or equivalent governments and federally recognized tribal governments in states bordering Canada or Mexico, or those with international water borders. Applicants must have active U.S. Border Patrol operations coordinated with a U.S. Customs and Border Protection sector office to qualify. OPSG subrecipients are divided into three tiers based on their location:
    - Tier 1 includes counties or tribal governments directly on the land borders with Canada and Mexico, or those located directly on physical borders with Canada, Mexico, or along international water borders.
    - Tier 2 includes counties or tribal governments next to Tier 1 locations.
    - Tier 3 includes counties or tribal governments next to Tier 2 locations.

    The tier structure is only applicable with regard to eligibility. OPSG funding target allocations are based on the assessed border security risks as determined by the U.S. Border Patrol.

2. Reducing Subapplicant Burden

For FY 2025, each SAA is strongly encouraged to re-evaluate its process for collecting and evaluating subaward applications. FEMA encourages each SAA to minimize the type and quantity of information that it collects as part of the subaward application process, in order to decrease the overall financial and time burden associated

	with applying for subawards under this grant program. Each SAA should review its subaward application and reduce or eliminate the request for any information that is not needed for legal, financial, or oversight purposes. **c.** ***All Recipients - Compliance with Federal Immigration Laws*** An immigration term and condition may be material to the Department of Homeland Security's decision to make this grant award, and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or any local government subrecipient fails to comply with this term and condition. No final agency determination has been made as of the date of this publication. For more details on eligibility requirements or restrictions to subawards/subrecipients, please see the Preparedness Grants Manual.
B. Project Type Eligibility	**a.** ***Unallowable Project Types*** See Section 3.F "Program-Specific Unallowable Costs" and 7.A.b "Ineligible Projects" for more information on unallowable project types. **b.** ***Allowable Project Types*** Allowable costs for SHSP, UASI, and OPSG generally fall into five main categories: planning, organization, equipment, training, and exercises (POETE). All projects funded under SHSP and UASI must demonstrate a clear connection to building capabilities that prevent, prepare for, protect against, or respond to acts of terrorism. Please see Appendix 12.B: Allowable Costs for more information on allowable costs. If there are questions about specific experiences, contact your FEMA Preparedness Officer.
C. Requirements for Personnel, Partners, and Other Parties	An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not: 1. ***A current employee, official, or leader*** of the recipient organization; and 2. ***Authorized to apply*** for the award on behalf of the entity at the time of submission. Additionally, the **Authorized Organization Representative (AOR)** must: 1. Be a current authorized employee, official, or leader of the recipient organization.

	2. Use a unique email address associated with the recipient organization at the time of application and upon any change in assignment during the period of performance. Consultants or contractors are not permitted to serve as the AOR of the recipient organization. For more information on the roles and responsibilities of the AOR, refer to FEMA's guidance on Roles and Permissions. Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statutes, policies, and procedures including "staff American, stay in America" and security requirements. Subapplicants/subrecipients must submit short bios and resumes. This should include the type of entity, organizational leadership, and board members along with both the names and addresses of the individuals. Resumes are subject to approval.
D. Maximum Number of Applications	The maximum number of applications that can be submitted is: 1. One per SAA
E. Additional Restrictions	Applicants/subapplicants or recipients/subrecipients are required to certify their compliance with federal statutes, DHS directives, policies, and procedures. Under HSGP, there are specific funding guidelines / requirements for allocating funds: **a. *Pass-Through Requirements*** SAAs are required to pass-through at least 80% of SHSP and UASI funding to local or tribal governments. For detailed information on pass-through requirements, please refer to Section 8, "Award Notices," in the NOFO and consult the "Pass-Through Requirements" section within the Preparedness Grants Manual. **b. *National Priority Areas (NPAs) Minimum Spend Requirements*** Requires that SHSP and UASI recipients allocate at least 30% of their funds between the five NPAs. The five NPAs, along with the relevant minimum spend percentage, are: • Enhancing the Protection of Soft Targets/Crowded Places: No minimum spend. • Supporting Homeland Security Task Forces and Fusion Centers: No minimum spend. • Enhancing Cybersecurity: No minimum spend.

	• Enhancing Election Security: At least 3% of the total SHSP and UASI target allocation must be dedicated to this area. • Supporting Border Crisis Response and Enforcement: At least 10% of the total SHSP and UASI target allocation must be dedicated to this area. **c. *Law Enforcement Terrorism Prevention Activities (LETPA)*** 1. **Legal Requirement**: Per section 2006 of the *Homeland Security Act of 2002*(codified as amended at 6 U.S.C. § 607(a)) DHS/FEMA is required to ensure that at least 25% of grant funding under HSGP is used for LETPA. 2. **FY 2025 Update:** DHS/FEMA has maintained this requirement at the FY 2024 level, mandating at least 35% HSGP funds are used for LETPA. 3. **Recipient Obligations:** The requirement can be fulfilled by funding projects across any of the five NPAs or other investments that meet the LETPA criteria. **Additional Guidance:** Information Bulletin (IB) 485 includes the most up-to-date information on project selection considerations and allowable activities for LETPA investments and compliments IB 473. Both IBs are applicable to the FY 2025 HSGP NOFO. For comprehensive LETPA requirements, refer to the Law Enforcement Terrorism Prevention Activities Resource Guide. For more information on funding restrictions, refer to General Funding Requirements.
F. References for Eligibility Factors within the NOFO	Please see the following references provided below: 1. "Responsiveness Review Criteria" subsection 2. "Financial Integrity Criteria" subsection 3. "Supplemental Financial Integrity Criteria and Review" subsection 4. FEMA may/will request financial information such as Employer Identification Number (EIN) and bank information as part of the potential award selection. This will apply to everyone prospered, including subrecipients.
G. Cost Sharing Requirement	There is no cost share requirement.
H. Cost Share Description, Type and Restrictions	Not applicable.
I. Cost Sharing Calculation Example	Not applicable.

J. Required information for verifying Cost Share	Not applicable.

3. Program Description

A. Background, Program Purpose, and Program History

Background

HSGP includes three key grant programs designed to enhance the capabilities of state, local, tribal, and territorial governments, as well as nonprofits, in preventing, protecting against, and responding to terrorist attacks. These programs are part of a comprehensive set of measures authorized by Congress and implemented by the Department of Homeland Security (DHS) to strengthen the nation's communities against potential terrorist threats.

In FY 2025, HSGP continues to include three key grant programs:

- SHSP: Supports the implementation of risk-driven, capabilities-based State Homeland Security Strategies to address capability targets.
- UASI: Focuses on high-risk Urban Area efforts to address their unique security needs.
- OPSG: Enhances cooperation and coordination among state, local, tribal, territorial, and federal law enforcement agencies to jointly enhance security along the United States land and water borders.

These programs collectively aim to strengthen the nation's ability to prevent, prepare for, protect against, and respond to acts of terrorism and other threats.

Program Purpose and History

Since its inception in 2003, HSGP has significantly enhanced the nation's preparedness. HSGP addresses evolving threats such as cybersecurity vulnerabilities and the protection of soft targets and crowded places. It represents a comprehensive approach to national security, fostering collaboration across all levels of government and within communities to build a safer, more resilient nation. Through planning, training, equipment procurement, and exercises, the program ensures jurisdictions are prepared for a wide range of risks.

In recent years:

- Funding priorities have evolved to include cybersecurity, election security, and countering emerging national security threats.
- Key accomplishments include the development of interoperable communication systems, emergency response training, and investment in physical and cybersecurity measures.
- The program emphasizes strategic investments to address identified capability gaps, requiring alignment with Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR).

This support equips various jurisdictions with the necessary tools and resources to effectively manage and mitigate a wide range of threats and hazards, aligning with FEMA's goal of building a secure and resilient nation.

B. Goals and Objectives

As HSGP is comprised of three different grant programs, this section is divided into SHSP and UASI (together) and OPSG, each with its own focus and goals. SHSP and UASI aim to strengthen the ability of states and urban areas to prevent, prepare for, protect against, and respond to acts of terrorism and other hazards. OPSG, on the other hand, remains unique to border security, and focuses on improving cooperation between local, tribal, state, and federal law enforcement to secure America's international borders. These programs work together to build a secure and resilient nation, giving communities the tools and resources they need to handle various threats and emergencies effectively.

a. *SHSP and UASI Goal*

The goal of SHSP is to **support statewide and state, local, tribal, and territorial (SLTT) governments** in building, enhancing, and sustaining the capabilities needed to prevent, prepare for, protect against, and respond to acts of terrorism. SHSP funding is intended to help SLTT agencies address capability gaps identified through the THIRA/SPR process, as well as prioritize resources toward high-impact security focus areas, known as NPAs.

The goal for the UASI program is to **enhance the security and resilience of high-risk urban areas** by building, sustaining, and improving capabilities to prevent, prepare for, protect against, and respond to acts of terrorism. This goal focuses on enabling urban areas to address identified security gaps, increase interagency coordination, and strengthen critical infrastructure protection to reduce vulnerabilities in locations facing heightened risks.

Together, SHSP and UASI under HSGP aim to build a cohesive and collaborative approach to homeland security by promoting national preparedness and resilience.

b. *SHSP and UASI Objectives*

SHSP and UASI provides resources that support eligible SLTT governments in meeting the following objectives:

- Build and sustain core capabilities, including LETPA and the NPAs (see priorities below);
- Address capability gaps identified in their THIRA and SPR process; and
- Implement a comprehensive and coordinated approach to address enduring security needs of communities that includes planning, training and awareness campaigns, equipment and capital projects, and exercises.

c. *SHSP and UASI Funding Priorities and Requirements*

HSGP establishes specific funding requirements to ensure resources are allocated effectively and address critical national priorities.

1. Law Enforcement Terrorism Prevention Activities (LETPA)

- Description: LETPA are initiatives funded through HSGP aimed at enhancing law enforcement's ability to prevent terrorist attacks. These activities focus on building and sustaining capabilities in areas such as intelligence analysis, information sharing, threat recognition, and terrorist interdiction.
- Allocation Requirement: At least 35% of each state/territory SHSP/UASI (where applicable) allocation must be allocated to LETPA activities.
- Flexibility: LETPA funds can come from SHSP, UASI, or both to meet this requirement.
- Project Alignment: LETPA funds can be applied to projects across the five NPAs or other investments that meet LETPA criteria.
- Additional Guidance: For detailed guidance on allowable LETPA expenditures and requirements, refer to FEMA's Preparedness Grants Manual and Information Bulletin 485 and Information Bulletin 497.

2. National Priority Areas (NPAs)

- Description: FY 2025 HSGP aligns with the Administration's priorities by directing resources toward the most urgent threats facing the Nation. Through the SHSP and UASI, HSGP supports the development and sustainment of core capabilities essential to achieving the National Preparedness Goal (NPG): "A secure and resilient Nation."

  To ensure strategic focus, DHS has identified five NPAs that reflect the evolving risk landscape and national policy objectives. These priorities serve as a framework for targeting investments that build capability, reduce risk, and promote cross-sector coordination.

The FY 2025 NPAs are:

- Enhancing the protection of soft targets and crowded places,
  - This includes faith-based organizations and election sites;
- Supporting Homeland Security Task Forces and fusion centers;
- Enhancing and integrating cybersecurity resiliency;
- Enhancing election security; and
- Supporting Border Crisis Response and Enforcement.
  - Example activities under border crisis response and enforcement support may include:
    1. Participation in the Department of Homeland Security/Immigration and Customs Enforcement 287(g) training program;
    2. Cooperation with Immigration and Customs Enforcement detainers; and
    3. Other jurisdictional responsibilities to support the enforcement of United State immigration law.

These NPAs are rooted in the core mission areas of the NPG—prevention, protection, mitigation, and response, and reflect a whole-of-government approach to homeland security. Applicants should use these priorities to guide planning, investment, and implementation to drive measurable outcomes and long-term resilience.

- Allocation Requirement:
  Recipients must allocate at least 30% of their SHSP and UASI funds to the five NPAs. Funds can be applied to projects across the five NPAs and can be used to meet LETPA criteria. By meticulously outlining how each investment and project meets LETPA and NPA requirements within the Investment Justifications (IJ), applicants can enhance the effectiveness and compliance of their funding proposals.

- Minimum Spend:
  - Enhancing Election Security requires at least 3% of total SHSP and UASI funds.
  - Supporting Border Crisis Response and Enforcement requires at least 10% of total SHSP and UASI funds.
  - The remaining 17% can be allocated across all NPAs.

Failure to meet NPA spending requirements will result in a hold on affected funds until compliance issues are resolved.

Priority Areas	Description	Minimum Allocation Requirement
Enhancing the Protection of Soft Targets/Crowded Places	Improving security at locations accessible to the public and vulnerable to attacks.	No minimum allocation
Supporting Homeland Security Task Forces and Fusion Centers	Promoting coordination of activities and critical information sharing and analysis to prevent and respond to threats.	No minimum allocation
Enhancing Cybersecurity	Strengthening the protection of computer systems and networks against cyber threats.	No minimum allocation
Enhancing Election Security	Ensuring the integrity and security of voting systems.	At least 3% of the total SHSP and UASI allocation must be dedicated to this area
Supporting Border Crisis Response and Enforcement	Supporting collaboration between state and local law enforcement and U.S. Immigration and Customs Enforcement (ICE) through the 287(g) program to identify and remove individuals who pose a threat to public safety and national security.	At least 10% of the total SHSP and UASI allocation must be dedicated to this area

States are encouraged to review the Strategic Framework for Countering Terrorism and Targeted Violence when developing investments.

- **NPA Investments: SHSP and UASI**
  - **Enhancing and Protection of Soft Targets/Crowded Places (no minimum percent)**

    Soft targets and crowded places, like parks, shopping centers, transportation hubs, and event venues, are increasingly appealing to terrorists because of their accessibility and the large gatherings. These areas often lack strict security measures, making them vulnerable. To address this, public and private sectors must collaborate to strengthen the security of locations such as transportation centers, restaurants, polling places, and similar facilities. Personnel responding to incidents at these sites should also be trained in key operational systems, such as the Incident Command System (ICS), to ensure effective on-scene incident management.

    In addition, the malicious use of unmanned aircraft systems (i.e., drones) poses safety and security risks to soft targets and crowded places. Detecting drones is an allowable use of funds under the HSGP in accordance with Executive Order 14305, *Restoring American Airspace Sovereignty*, which allows the purchase of unmanned aircraft systems (UAS) or equipment or services for the detection, tracking, or identification of drones and drone signals, and FEMA Information Bulletin 530. Before purchasing and deploying these systems, as outlined in the Domestic Counter-UAS National Action Plan, recipients must:

    - **Consult FEMA and Legal Experts:** Work with FEMA's Preparedness Officer and legal experts to ensure your policies and procedures comply with federal and state laws regarding surveillance and communication.
    - **Develop Standard Operating Procedures (SOPs):** Establish clear guidelines to ensure operations are conducted in a manner consistent with First and Fourth Amendment protections, and other applicable provisions of federal law.
    - **Provide Training and Certification:** Ensure personnel operating UAS systems are properly trained and certified, in accordance with FEMA and Federal Aviation Administration standards.

    Applicants are encouraged to submit an investment related to protecting soft targets/crowded places. The proposed investment will be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments. States are encouraged to engage DHS' Protective Security Advisors for security assessments of soft targets to ensure that recommendations from those assessments are taken into consideration when allocating grant funding.

    Additional Resources

    Further guidance and resources for securing soft targets and crowded places can be found through the Cybersecurity and Infrastructure Security Agency (CISA) and the National Institute of Standards and Technology. For comprehensive compliance and operational details, refer to FEMA's Preparedness Grants Manual and related program documents.

- **Supporting Homeland Security Task Forces and Fusion Centers (no minimum percent)**
  This priority supports the Administration's direction under Executive Order 14159, *Protecting the American People Against Invasion*, which calls for the establishment of Homeland Security Task Forces (HSTFs) nationwide. These multi-agency teams—composed of federal and local law enforcement partners—are tasked with disrupting and dismantling transnational criminal organizations, targeting cross-border human smuggling and trafficking networks (especially those involving children), and using all appropriate law enforcement tools to support lawful immigration enforcement.

  Activities under this NPA also enhance broader national efforts in:

  - Counterterrorism
  - Cybersecurity
  - Border security
  - Immigration enforcement
  - Transnational organized crime
  - Protection of economic and critical infrastructure

  Allowable Costs:

  Applicants may use grant funds for:

  - Establishing or enhancing multi-agency HSTFS, including operational coordination centers
  - Enhancing capabilities and integration with local fusion centers
  - Procurement of technology or equipment to support surveillance, communications, and data analysis
  - Development of standard operating procedures for information sharing, joint operations, and immigration enforcement coordination
  - Personnel training, credentialing, and certification to improve interoperability and mission alignment
  - Intelligence analysis, reporting, and suspicious activity monitoring
  - Exercises and simulations focused on joint operations, intelligence sharing, or interdiction/disruption of criminal or smuggling networks
  - Community engagement efforts to foster trust and encourage threat reporting

  Fusion Center Requirements: While there is no minimum spending requirement for this NPA, applicants must include at least one project in support of the state or territory's designated fusion center. Applicants must clearly justify how their project will enhance information sharing, collaboration, and a culture of national preparedness. DHS/FEMA will evaluate these investments based on their effectiveness and alignment with program objectives. Please see the Preparedness Grants Manual for more information on fusion center performance measures.

  Additional resources and information regarding collaboration and information sharing are also available through the Department's Office of Intelligence and Analysis.

- **Cybersecurity (no minimum percent)**
  In today's interconnected world, increased connectivity brings greater risks, including the potential for adversaries and terrorists to exploit cyber vulnerabilities and disrupt critical systems. While not mandatory, applicants are encouraged to submit proposals for ongoing or high-priority cybersecurity projects. DHS/FEMA will evaluate these investments based on their effectiveness.

  Cybersecurity investments should enhance the security and functioning of critical infrastructure and core capabilities related to preventing, preparing for, protecting against, or responding to acts of terrorism.

- **Election Security (3% minimum allocation)**
  In January 2017, DHS designated the infrastructure used to administer the Nation's elections as critical infrastructure. This designation recognizes that the United States' election infrastructure is of such vital importance to the American way of life that its incapacitation or destruction would have a devastating effect on the country. Additionally, the Homeland Threat Assessment 2024 indicates that electoral processes remain an attractive target for many adversaries.

  Securing election infrastructure, ensuring its continued operation in the face of threats and harassment, advancing the safety of election officials, and protecting against foreign interference are national security priorities. Because threats to election systems are constantly evolving, defending these systems requires constant vigilance, innovation, and adaptation. By integrating the directives of Executive Order 14248, *Preserving and Protection the Integrity of American Elections*, into the Election Security NPA, HSGP recipients can ensure that their efforts contribute to a secure, transparent, and resilient electoral process, thereby reinforcing public trust and the integrity of democratic institutions.

  To address these priorities, each state and high-risk urban area must make at least one (1) investment that supports physical and/or cyber election security. Proposed investments must meet or exceed the FY 2025 national priority percentage for election security (minimum 3%) and will be evaluated by DHS/FEMA for effectiveness and alignment with program goals.

  To further strengthen election integrity, jurisdictions must:

  - Prioritize compliance with the Voluntary Voting System Guidelines (VVSG) 2.0 established by the U.S. Election Assistance Commission;
  - Complete testing through a Voting System Test Laboratory (VSTL) accredited by the Commission;[1]

[1] Exec. Order No. 14,248, Preserving and Protecting the Integrity of American Elections, 90 Fed. Reg. 14,005 (Mar. 25, 2025).

- Utilize the U.S. Citizenship and Immigration Services' Systematic Alien Verification Entitlements system for the verification of anyone working at a polling place in any capacity is a U.S. Citizen.

- Demonstrate proof of compliance before accessing the full HSGP award—3% of the award will be withheld from drawdown until compliance is confirmed.

Additional resources and information regarding election security are available through the Cybersecurity and Infrastructure Security Agency.

- **Supporting Border Crisis Response and Enforcement (10% minimum allocation)** State and local law enforcement agencies are essential partners in safeguarding national security and public safety. Pursuant to Executive Order 14159, *Protecting the American People Against Invasion*, it is the policy of the United States to enforce immigration laws against all inadmissible and removable aliens—particularly those who threaten the safety or security of the American people. This includes the efficient execution of these laws through lawful incentives and enhanced detention capabilities.

  This NPA supports efforts that align with this policy and promote cooperation between local and federal partners. Projects may include, but are not limited to:

  - Participation in the DHS/ICE 287(g) program, allowing trained local officers to support ICE with immigration enforcement;
  - Cooperation with ICE detainers and other jurisdictional responsibilities related to immigration enforcement; and
  - Supportive activities such as officer training, technology and information sharing, operational support, and community engagement.

  At least one (1) investment must support efforts under this NPA. Applicants must allocate at least 10% of total SHSP and UASI funds to this area. All investments will be reviewed by DHS/FEMA to ensure they are effective, lawful, and aligned with program goals. The SAA must coordinate with ICE on all projects and related matters. Additional guidance and information on the 287(g) program is available through the ICE 287(g) program website.

d. ***Other FY 2025 SHSP and UASI Funding Priorities***

There are several enduring security needs that crosscut the homeland security enterprise to which recipients should consider allocating funding across core capability gaps and national priorities. The following are enduring needs that help recipients implement a comprehensive approach to securing communities:

- Effective planning;[2]

[2] Including assessment of critical infrastructure system vulnerabilities and plans to reduce consequences of disruptions, using the Infrastructure Resilience Planning Framework and Regional Resiliency Assessment Methodology produced by the Cybersecurity and Infrastructure Security Agency.

- Training and awareness campaigns;
- Equipment and capital projects; and
- Exercises.

The table below provides a breakdown of the FY 2025 SHSP and UASI priorities showing the core capabilities enhanced and lifelines supported, as well as examples of eligible project types for each area. More information on allowable investments can be found in Appendix 12.B and in the Preparedness Grants Manual.

DHS/FEMA expects that national priorities will continue to be included in future years, evolving as threats change and capability gaps are addressed. Applicants are strongly encouraged to start planning now to sustain existing capabilities using funding sources other than DHS preparedness grants.

Projects listed in the table below may be useful in preparing for disasters unrelated to terrorism, as long as they also support the primary goals of preventing, preparing for, protecting against, or responding to acts of terrorism.

Example Project Types

All priorities in this table concern the Safety and Security Lifelines.

Priority Areas	Core Capabilities	Example Project Types
National Priorities		

Enhancing the Protection of Soft Targets/ Crowded Places (Securing Public Gathering Locations)	• Operational coordination
	• Public information and warning
	• Intelligence and information sharing
	• Interdiction and disruption
	• Screening, search, and detection
	• Access control and identity verification
	• Physical protective measures
	• Risk management for protection programs and activities
		• Operational overtime. For more information on operational overtime, see Appendix 12.B of this NOFO.
		• Physical security enhancements
		  ○ Security cameras (closed-circuit television [CCTV])
		  ○ Security screening equipment for people and baggage
		  ○ Lighting
		  ○ Access controls
		  ○ Fencing, gates, barriers, etc.
		• UAS and detection technologies

Enhancing Cybersecurity	• Cybersecurity • Intelligence and information sharing • Planning • Public information and warning • Operational coordination • Screening, search, and detection • Access control and identity verification	• Cybersecurity risk assessments • Migrating online services to the ".gov" internet domain • Projects that address vulnerabilities identified in cybersecurity risk assessments ○ Improving cybersecurity of critical infrastructure to meet minimum levels identified by the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology Cybersecurity Framework (Version 1.1)

Priority Areas	Core Capabilities	Example Project Types
	• Supply chain integrity and security • Risk management for protection programs and activities • Long-term vulnerability reduction • Situational assessment • Infrastructure systems • Operational communications	○ Adoption of cybersecurity performance goals (CISA's Cross-Sector Cybersecurity Performance Goals) • Cybersecurity training, planning, and exercises
Supporting Homeland Security Task Forces and Fusion Centers	• Intelligence and information sharing • Interdiction and disruption • Public information and warning • Operational coordination • Risk management for protection programs and activities	• Establishing or enhancing multi-agency Homeland Security Task Forces (HSTFs), including operational coordination centers • Enhancing capabilities and integration with local fusion centers • Procurement of technology or equipment to support surveillance, communications, and data analysis • Development of standard operating procedures for information sharing, joint operations, and immigration enforcement coordination • Personnel training, credentialing, and certification to improve interoperability and mission alignment • Intelligence analysis, reporting, and suspicious activity monitoring • Exercises and simulations focused on joint operations, intelligence sharing, or interdiction/disruption of criminal or smuggling networks • Community engagement efforts to foster trust and encourage threat reporting • Information sharing with all DHS components; fusion centers; other operational, investigative, and analytic entities; and other federal law enforcement and intelligence entities • Cooperation with DHS and other entities in intelligence, threat recognition, assessment, analysis, and mitigation • Identification, assessment, and reporting of threats of violence • Intelligence analysis training, planning, and exercises • Coordinating the intake, triage, analysis, and reporting of tips/ leads and suspicious activity, to include coordination with the Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI)
Enhancing Election Security	• Cybersecurity • Intelligence and information sharing • Planning • Long-term vulnerability reduction • Situational assessment • Infrastructure systems	• Prioritize compliance with the VVSG 2.0 established by the U.S. Election Assistance Commission • Complete testing through a VSTL accredited by the U.S. Election Assistance Commission • Physical security planning and exercise support • Physical/site security measures – e.g., locks, shatter proof glass, alarms, access controls, etc. • General election security navigator support

Priority Areas	Core Capabilities	Example Project Types
	• Operational coordination • Community resilience	• Cyber and general election security navigator support • Cybersecurity risk assessments, training, and planning • Projects that address vulnerabilities identified in cybersecurity risk assessments • Iterative backups, encrypted backups, network segmentation, software to monitor/scan, and endpoint protection • Distributed Denial of Service protection • Migrating online services to the ".gov" internet domain • Online harassment and targeting prevention services • Public awareness/preparedness campaigns discussing election security and integrity measures • Long-term vulnerability reduction and community resilience
Supporting Border Crisis Response and Enforcement	• Community resilience • Operational coordination • Risk management for protection programs and activities	• Staffing support to expand 287(g) screening operations within correctional facilities • Operational overtime costs directly tied to 287(g) screening, processing, and enforcement activities • Training programs for state and local law enforcement officers in immigration law, civil rights protections, and 287(g) procedures • Development or enhancement of information-sharing platforms between ICE and local agencies • Procurement of screening, detection, and communications technology to support immigration enforcement activities • Establishing secure and dedicated communication networks with ICE Field Offices • Conducting joint training exercises with ICE and local law enforcement to test operational coordination • Support for facilities upgrades, such as creating dedicated interview rooms and secure processing spaces • Community engagement and public briefings to promote transparency and understanding of 287(g) operations and protections
Enduring Needs		

Planning	• Planning
	• Risk management for protection programs and activities
	• Risk and disaster resilience assessment
	• Threats and hazards identification
	• Operational coordination
	• Community resilience
		• Development of:
		  ○ Security Risk Management Plans
		  ○ Threat Mitigation Plans
		  ○ Continuity of Operations Plans
		  ○ Response Plans
		  ○ Vulnerability Assessments
		• Efforts to strengthen governance integration between/among regional partners
		• Joint training and planning with DHS officials and other entities designated by DHS
		• Cybersecurity training and planning

Priority Areas	Core Capabilities	Example Project Types
Training and Awareness	• Long-term vulnerability reduction • Public information and warning • Operational coordination • Situational assessment • Community resilience	• Active shooter training • Intelligence analyst training • SAR and terrorism indicators/behaviors training • Security training for employees • Public awareness/preparedness campaigns • Cybersecurity training and planning • Sharing and leveraging intelligence and information

Equipment and Capital Projects	• Long-term vulnerability reduction
	• Infrastructure systems
	• Operational communications
	• Interdiction and disruption
	• Screening, search and detection
	• Access control and identity verification
	• Physical protective measures
		• Protection of high-risk, high-consequence areas or systems that have been identified through risk assessments
		• Physical security enhancements
		  ○ Security cameras (CCTV)
		  ○ Security screening equipment for people and baggage
		  ○ Lighting
		  ○ Access Controls
		  ▪ Fencing, gates, barriers, etc.
		• Enhancing Weapons of Mass Destruction and/or improvised explosive device prevention, detection, and response capabilities
		  ○ Chemical/Biological/Radiological/ Nuclear/Explosive detection, prevention, and response equipment

Exercises	• Long-term vulnerability reduction • Operational coordination • Operational communications • Community resilience	• Response exercises, including exercise planning with community-based organizations

For FY 2025, each SHSP and UASI recipient is required to submit an Investment Justification (IJ) for the NPAs with minimum spend requirements (i.e., Enhancing Election Security and Supporting Border Crisis Response and Enforcement). The investments must also account for at least the relevant minimum percentage of the applicant's SHSP and UASI target allocations. SAAs may submit complete project-level information at the time of application, including the NPA IJs, but are not required to do so. ***As a reminder, all SHSP and UASI-funded projects must have a demonstrated nexus to achieving target capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism***. At the same time, these projects can also help improve preparedness for other types of disasters.

e. *Goals and Objectives for OPSG*

Operation Stonegarden (OPSG) supports enhanced cooperation and coordination among Customs and Border Protection (CBP)/United States Border Patrol (USBP), and federal, state, local, tribal, and territorial law enforcement agencies to strengthen border security.

The programs objectives are to:

- Enhance collaboration and coordination among federal, state, local, tribal, and territorial law enforcement agencies to strengthen border security;

- Support joint efforts to secure borders, including land and water routes, and critical travel corridors; and
- Improve information and intelligence sharing to address border-related threats effectively.

f. *OPSG Funding Priorities*

FY 2025 Emphasis:

- Jurisdictions are encouraged to participate in the 287(g) program as part of their OPSG efforts when coordinated with and endorsed by USBP.
- Funding dedicated to support 287(g) activities under OPSG is encouraged but does not count toward the 10% minimum allocation required for the new "Supporting Border Crisis Response and Enforcement" National Priority Area (NPA) under SHSP and UASI.

The table below provides examples of project types.

FY 2025 OPSG - Example Project Types

Priority Areas	Core Capabilities	Example Project Types
National Priorities		
Supporting Border Crisis Response and Enforcement	• Community resilience • Operational coordination • Risk management for protection programs and activities	• Enhance collaboration and coordination among federal, state, local, tribal, and territorial law enforcement agencies to strengthen border security • Support joint efforts to secure borders, including land and water routes, and critical travel corridors • Improve information and intelligence sharing to address border-related threats effectively • Provide staffing support to expand 287(g) screening operations within correctional facilities • Operational overtime costs directly tied to 287(g) screening, processing, and enforcement activities • Training programs for state and local law enforcement officers in immigration law, civil rights protections, and 287(g) procedures

CBP/USBP, remains the lead federal entity in determining eligibility, setting operational priorities, and coordinating all OPSG activities. Any use of 287(g) as part of eligibility must be developed in close coordination with CBP and reflect USBP's operational assessments and strategic goals.

C. Program Rationale

The stated goals, objectives, and priorities of HSGP support Section 2002 of the *Homeland Security Act of 2002*, Pub. L. No. 107-296 (codified as amended at 6 U.S.C. § 603).

D. Federal Assistance Type

Grant

E. Performance Measures and Targets

a. ***SHSP and UASI***

1. Number of recipients and stakeholders participating in SHSP and UASI.
2. Number of recipients and stakeholders addressing capability gaps identified through the THIRA/SPR process.
3. Number of gaps mitigated in core capabilities that have a target(s) rated as high priority.
4. Percentage change in year-over-year capability levels relating to targeted high priority capabilities identified through the THIRA/SPR process.

FEMA will calculate and analyze the above metrics through a review of state/territory and urban area SPR submissions and required programmatic reports.

b. ***OPSG***

1. Number of OPSG-supported arrests for border-related offenses.
2. Number of OPSG-funded overtime hours contributed by subrecipients to support and strengthen the U.S. CBP's border security operations.
3. Number of SLTT law enforcement agencies participating in joint OPSG activities.

F. Program-Specific Unallowable Costs

a. ***Unallowable Costs for SHSP, UASI, and OPSG***

Per FEMA policy, the purchase of weapons and weapons accessories, including ammunition, is not allowed with HSGP funds. Grant funds may not be used for the purchase of the following equipment: firearms; ammunition; grenade launchers; bayonets; or weaponized aircraft, vessels, or vehicles of any kind with weapons installed. Unauthorized exercise-related costs include:

- Reimbursement for the maintenance or wear and tear costs of general use vehicles (e.g., construction vehicles), medical supplies, and emergency response apparatus (e.g., fire trucks, ambulances); and
- Equipment that is purchased for permanent installation and/or use, beyond the scope of the conclusion of the training or exercise (e.g., electronic messaging sign).

HSGP funds may not be used to support the hiring of sworn public safety officers for purposes of fulfilling traditional public safety duties or to supplant traditional public safety positions and responsibilities (6 USC 609(b)(1)(A)).

As directed by Section 2008(b)(2) of the *Homeland Security Act of 2002* (codified as amended at 6 USC 609(b)(2)), all personnel and personnel-related costs, including those of intelligence analysts and operational overtime, are allowed up to 50 percent of HSGP funding without time limitation placed on the period of time that such personnel can serve. FEMA may provide a waiver at the request of the recipient to allow personnel expenses to exceed 50 percent of the amount awarded.

Applicants should refer to IB 421b or contact their FEMA Headquarters (HQ) Preparedness Officer for guidance and clarification.

b. ***Unallowable Costs for OPSG Only***

OPSG funds may not be used for the following:

- Evidence collection, arrest processing, prosecution, and Traffic/DUI checkpoints, such as evidence documentation cameras, fingerprinting supplies, alcohol breathalyzers, portable work lights, traffic barricades, and similar law enforcement expenses;
- Staffing (other than overtime) and general information technology computing equipment and hardware, such as personal computers, faxes, copy machines, and modems;
- Hiring full-time or permanent sworn public safety officers;
- Supplanting of inherent routine patrols and law enforcement operations or activities not directly related to providing enhanced coordination between local and federal law enforcement agencies;
- Construction and/or renovation costs; or
- Exercise expenses.

G. General Funding Requirements

Costs charged to federal awards (including federal and non-federal cost share funds) must comply with applicable statutes, rules and regulations, policies, this NOFO, the Preparedness Grants Manual, and 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. 2 C.F.R. § 200.403(h).

Recipients may not use federal funds or any cost share funds for the following activities:

1. Matching or cost sharing requirements for other federal grants and cooperative agreements (see 2 C.F.R. § 200.306).
2. Lobbying or other prohibited activities under 18 U.S.C. § 1913 or 2 C.F.R. § 200.450.
3. Prosecuting claims against the federal government or any other government entity (see 2 C.F.R. § 200.435).

1. Funds Transfer Restriction

Recipients are not allowed to move funds between programs (SHSP, UASI, and OPSG). While projects can be funded by multiple sources (e.g., SHSP and UASI), recipients cannot shift funds from one program to another.

H. Indirect Costs (Facilities and Administrative Costs)

Indirect costs are allowed for recipients and subrecipients.

Indirect costs (IDC) are costs incurred for a common or joint purpose benefitting more than one cost objective and not readily assignable to specific cost objectives without disproportionate effort. Applicants with a current negotiated IDC rate agreement who desire to charge indirect costs to a federal award must provide a copy of their IDC rate agreement with their applications. Not all applicants are required to have a current negotiated IDC rate agreement. Applicants that are not required to have a negotiated IDC rate agreement, but are required to develop an IDC rate proposal, must provide a copy of their proposal with their applications. Applicants without a current negotiated IDC rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to FEMA for further instructions. Applicants who wish to use a cost

allocation plan in lieu of an IDC rate proposal must reach out to FEMA for further instructions. As it relates to the IDC for subrecipients, a recipient must follow the requirements of 2 C.F.R. §§ 200.332 and 200.414 in approving the IDC rate for subawards.

See the Preparedness Grants Manual for information on establishing indirect cost rates.

I. Management and Administration (M&A) Costs

M&A costs are allowed.

Recipients can use up to 5% of their HSGP funds for M&A purposes. *Full-Year Continuing Appropriations and Extensions Act, 2025*, Pub. L. No. 119-4, § 1101. Subrecipients may also use up to 5% of the funding passed through by the state specifically for M&A related to the HSGP award.

Recipients or subrecipients can apply M&A costs toward meeting the NPA spending requirements. For example, if a recipient spent $5,000 on administering election security projects, it could count toward the mandatory 3% allocation for the election security NPA.

The total M&A funds a state can retain are based on 5% of the combined total of its SHSP, UASI, and OPSG awards. However:

- States must ensure subrecipient awards meet the mandatory pass-through requirements before retaining M&A funds.
- Pass-through percentages are calculated based on the total HSGP award, before M&A deductions.

Under OPSG, subrecipients - including local law enforcement agencies referred to as "friendly forces" - can use up to 5% of their awarded funds for M&A expenses (*Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4, § 1101*); however, the total amount retained cannot exceed 5% of the subrecipient's subaward. Friendly forces are local law enforcement entities that are subordinate subrecipients under OPSG. In other words, friendly forces are entities that receive a subaward from a subrecipient under the OPSG program. Friendly forces must comply with all requirements of subrecipients under 2 C.F.R. Part 200. In retaining these funds, states may retain a maximum of 2.5% of the OPSG allocation, which must be withheld from the pass-through to each subrecipient county or tribe in an equal percentage. The SAA may also retain additional funding from its SHSP award to manage and administer the OPSG award, but that additional amount is also capped at an amount equal to 2.5% of the OPSG award.

Examples of applying this principle:

SAA 1:

- Total award: $6,000,000
- SHSP: $1,000,000 OPSG: $2,500,000 UASI: $2,500,000
- M&A Maximum: $300,000 (5% of $6,000,000)

- Maximum M&A for SHSP = $50,000
- Maximum M&A for OPSG = $125,000. Of that amount, $62,500 (2.5%) may be retained from the OPSG allocation, and the other $62,500 would come from the SHSP allocation. Any amount used to manage and administer OPSG that is charged to SHSP may be above and beyond $50,000 available to make the SHSP allocation.
- Maximum M&A for UASI = $125,000

SAA 2:

- Total award: $4,500,000
- SHSP: $3,500,000 OPSG: $1,000,000
- M&A Maximum: $225,000 (5% of $4,500,000)
- Maximum M&A for SHSP = $175,000
- Maximum M&A for OPSG = $50,000. Of that amount, $25,000 (2.5%) may be retained from the OPSG allocation, and the other $25,000 would come from the SHSP allocation. Any amount used to manage and administer OPSG that is charged to SHSP may be above and beyond the $175,000 available to manage the SHSP allocation.

M&A charged to OPSG, SHSP, or UASI funding must be used to support that particular program.

M&A are not overhead costs but are necessary direct costs incurred in direct support of the federal award or as a consequence of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct support of the program. As such, M&A costs can be itemized in financial reports. See the Preparedness Grants Manual for information on M&A costs.

J. Pre-Award Costs

Pre-award costs are defined as costs incurred by the applicant prior to the start date of the period of performance of the federal award and are allowable only with the prior written approval of DHS/FEMA and as included in the award agreement. To request pre-award costs, a written request must be included with the application, signed by the AOR of the entity. The letter must outline what the pre-award costs are for, including a detailed budget break-out of pre-award costs from the post-award costs, and a justification for approval. For more information, please contact your assigned FEMA HQ Preparedness Officer.

K. Beneficiary Eligibility

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

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

M. Authorizing Authority

Section 2002 of the *Homeland Security Act of 2002*, Pub. L. No. 107-296 (codified as amended at 6 U.S.C. § 603).

N. Appropriation Authority
Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4 § 1101.

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

P. Prohibition on Covered Equipment or Services
See the Preparedness Grants Manual for information on prohibitions on expending funds on covered telecommunications and surveillance equipment and services.

4. Application Contents and Format

A. Pre-Application, Letter of Intent, and Whitepapers
Not allowable.

B. Application Content and Format
Not applicable.

C. Application Components

The following forms or information are required to be submitted via FEMA GO. The Standard Forms (SF) are also available at Forms | Grants.gov.

- 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

D. Program-Specific Required Documents and Information
Start by visiting Grants.gov and searching for the Homeland Security Grant Program posting. Once you find the posting, go to the **Related Documents** tab to download the necessary templates. Fill out these forms carefully, ensuring all information is accurate and clearly labeled. Save the completed forms as Adobe PDF files. Finally, log in to FEMA GO and upload the PDFs as part of your application.

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

SHSP
- FEMA GO – Web based Summary of Grant Request Details
- Senior Advisory Committee (SAC) Charter and Membership / Point of Contact List

UASI
- FEMA GO – Web based Summary of Grant Request Details
- Urban Area Working Group (UAWG) Charter and Membership / Point of Contact List

OPSG
Operations Orders – ***Post Award*** (See Section 9.K.d)

Applicable to All Programs (as appropriate)
- Detailed Budgets (web based)
- Pre-Award Costs
- Indirect Cost Agreement

For additional documents and post-award application requirements (e.g., SAFECOM letter and others), please refer to Section 9 Post-Award Requirements and Administration for guidance.

a. *IJ Development: SHSP and UASI*

Each IJ begins with an overview that aligns the proposed investments with the applicant's homeland security strategy and the program's goals.

1. **Investments:** Applicants must propose a minimum of two and a maximum of twelve investments within the IJ. Each investment represents a strategic area of focus and should include:
   - **Investment Name:** A clear title that reflects the focus area.
   - **Description:** An explanation of how the investment supports planning, organization, equipment, training, and exercises.
   - **Alignment:** Identification of goals and objectives from the State or Urban Area Homeland Security Strategy that the investment supports.

2. **Projects:** Each investment contains one or more projects detailing specific activities. For each project, the IJ requires:
   - **Project Name and Description:** A concise title and summary of the project's purpose and activities.
   - **Subrecipient Information:** Details about any subrecipients involved, including their names and whether they are state or local entities.
   - **Location:** The primary location's zip code where the project will be implemented.
   - **Core Capability Supported:** The main capability the project aims to build or sustain.
   - **Shareability and Deployability:** Information on whether the project's activities can be shared with or deployed to other jurisdictions.

3. **Funding Details:** The IJ must specify the funding amount for each investment and project, ensuring alignment with program guidelines and the minimum spending thresholds for NPAs and LETPA.

4. **Capability Gaps and Outcomes:** Applicants should describe existing capability levels, identify gaps the investment intends to address, and outline the expected outcomes and improvements resulting from the proposed projects.

b. ***LETPA and NPA Requirements***

Applicants must ensure their IJs meet specific requirements for LETPA and the NPAs.

1. **LETPA**

- At least 35% of SHSP and UASI funds must go toward LETPA projects that prevent terrorism, such as law enforcement training or equipment.
- Eligible activities must have a clear nexus to law enforcement terrorism prevention, including equipment, training, exercises, and operational overtime directly related to preventing terrorism.
- Applicants should clearly identify which investments and projects contribute to the LETPA allocation within their IJs.
- It's allowable for an investment to simultaneously support LETPA and an NPA, provided it meets the criteria for both.
- Investments and projects meeting LETPA requirements must be clearly labeled in the IJ.

NPA:

- At least 30% of SHSP and UASI funds must go toward projects in five NPAs:
    - Protecting soft targets/crowded places;
    - Supporting Homeland Security Task Forces and Fusion Centers;
    - Enhancing cybersecurity;
    - Enhancing election security (requires at least 3%); and
    - Supporting Border Crisis Response and Enforcement (requires at least 10%).
- Among these, only "Enhancing election security" and “Supporting Border Crisis Response and Enforcement” have a specified minimum spend requirement of 3% and 10%, respectively. The remaining 17% can be flexibly allocated across the remaining NPAs.
- For NPAs with a minimum spend requirement (election security and border crisis response), related projects must be consolidated into a single, clearly labeled IJ.
- Other NPA projects may be combined into one or more IJs, but applicants must clearly identify which NPAs each project supports to ensure they count toward the 30% minimum allocation.

c. ***Fusion Center Project IJ Requirement***

For SHSP and UASI funded investments, each applicant must designate one project in support of the state or territory’s designated fusion center under the “*Supporting Homeland Security Task Forces and Fusion Centers*” priority area. Coordination with the fusion center is required when

developing the project prior to submission. Additional guidance on developing fusion center projects can be found below and in the Preparedness Grants Manual.

Note: applicants may also identify additional fusion center projects or projects in support of homeland security task forces under this priority area in addition to the required designated fusion center project.

Applicants must identify a fusion center project that includes:

- **Alignment with the Designated Fusion Center**: Clearly indicate which fusion center the project supports and that it's under the "*Supporting Homeland Security Task Forces and Fusion Centers*" priority area.
- **Project Description and Funding Details**: Provide a brief narrative describing the proposed activities and a detailed funding breakdown that directly supports the fusion center.

The narrative and financial itemization must align with fusion center improvement or sustainment needs, as outlined in the Fusion Center Performance Measures section of the Preparedness Grants Manual. Recipients can also refer to the Fusion Centers | Homeland Security website for more information.

d. ***What Happens if IJ Requirements Aren't Met?***

- If IJs don't meet the NPA and LETPA spending requirements, FEMA will place a hold on those impacted funds until the issues are resolved.
- Applicants can provide project details either during the application process or by including them in the Biannual Strategy Implementation Report (BSIR) due by January 30, 2026.

e. ***How to Succeed***

- Clearly explain how your projects meet LETPA and NPA goals, and which IJ includes the Fusion Center.
- Ensure investments and projects align with homeland security strategies and fill capability gaps.
- Maintain detailed records to support your application and help FEMA review it.

By following these steps, applicants can ensure their funding proposals are clear, meet program requirements, and align with homeland security priorities.

f. ***FEMA GO - Grant Request Details (Web-Based)***

When completing the Grant Request Details section in the FEMA GO Application, entities are strongly encouraged to provide complete details about their proposed projects. This includes project names, descriptions, and associated costs to ensure clarity and accuracy in funding requests.

However, applicants will not be penalized if they do not enter full details at this stage. They will have another opportunity to refine and expand upon this information when completing the Winter BSIR.

At a minimum, applicants must submit the IJ to demonstrate the projects they intend to fund. The IJ provides a high-level summary of proposed initiatives and aligns them with grant priorities.

For additional guidance on completing the Grant Request Details section, refer to the FEMA GO Application Process Guide or consult your HQ FEMA Preparedness Officer.

g. *Senior Advisory Committee (SAC) Charter and Advisory List*
Recipients are required to establish a SAC and provide a copy of the SAC Charter with their application. The SAC Charter should include a detailed description of the committee's composition, governance processes, meeting frequency, decision-making procedures, and defined roles and responsibilities. All members of the SAC should sign and date the charter to indicate their agreement with its content and their representation on the committee. Recipients must include the information as an attachment in FEMA GO when submitting their application. SAA will use the URT to verify compliance with SAC charter requirements. For more information on SAC composition, scope, responsibilities, see the Preparedness Grants Manual.

h. *National Incident Management System (NIMS) Implementation*
Prior to allocation of any federal preparedness awards, recipients must ensure and maintain adoption and implementation of NIMS, including implementation of important operational systems defined under NIMS, such as the Incident Command System (ICS). The list of objectives used for progress and achievement reporting is on FEMA's website at https://www.fema.gov/emergency-managers/nims/implementation-training.

Please see the Preparedness Grants Manual for more information on NIMS.

i. *Emergency Management Assistance Compact (EMAC) Membership*
In support of the National Preparedness Goal (the Goal), SHSP recipients must participate in the EMAC. Exceptions are made for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to join EMAC at this time.

All assets supported in part or entirely with FY 2025 HSGP funding must be readily deployable and NIMS-typed, when possible, to support emergency or disaster operations per existing EMAC agreements. In addition, funding may be used for the sustainment of core capabilities that, while they may not be physically deployable, support national response capabilities, such as Geographic/Geospatial Information Systems, interoperable communications systems, and capabilities as defined under the Mitigation Mission Area of the Goal.

j. *Urban Area Point of Contact*
An SAA must confirm a specific POC with the designated high-risk urban area. The SAA POC is responsible for identifying and coordinating with the POC for the Urban Area Working Group (UAWG). This information must be provided to FEMA with the grant application. SAAs must work with existing high-risk urban areas to ensure that information for current POCs is on file with FEMA. For more information on UAWG composition, scope, responsibilities, and charter, see the Preparedness Grants Manual.

k. ***Detailed Budget***
Applicants must complete the web-based budget summary within FEMA GO for all funds requested at the time of the application. For detailed guidance, refer to the FEMA GO Application Process Guide.

For a visual guide on entering sub-recipient management costs in FEMA GO, you may find the following tutorial helpful: How To Enter Sub-recipient Management Costs In FEMA-Go.

E. Post-Application Requirements for Successful Applicants

Not applicable.

5. Submission Requirements and Deadlines

A. Address to Request Application Package
Applications are processed through the FEMA GO system. To access the system, go to https://go.fema.gov/.

Steps Required to Apply For An Award Under This Program and Submit an Application:

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

a. Apply for, update, or verify their Unique Entity Identifier (UEI) number and 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 Organizational 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/media-library/assets/documents/181607;
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.

Per 2 C.F.R. § 25.110(a)(2)(iv), if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to receiving a federal award, the applicant must notify FEMA as soon as possible. Contact fema-grants-news@fema.dhs.gov and provide the details of the exigent circumstances.

How to Register to Apply:

General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Below are instructions for registering to apply for FEMA funds. Read the instructions carefully and prepare the requested information before beginning the registration process. Gathering the required information before starting the 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 a Unique Entity Identifier (UEI) number, Employer Identification Number (EIN), and an active System for Award Management (SAM) registration.

Obtain a 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.

Obtain Employer Identification Number:

In addition to having a UEI 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.

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 at: https://secure.login.gov/sign_up/enter_email?request_id=34f19fa8-14a2-438c-8323-a62b99571fd.

Applicants only have to create a login.gov account once. For existing SAM users, use the same email address for both login.gov and 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.

Register with SAM:

In addition to having a UEI number, all organizations must register with SAM. Failure to register with SAM will prevent your organization from applying through FEMA GO. SAM registration must be renewed annually and must remain active throughout the entire grant life cycle.

For more detailed instructions for registering with SAM, refer to: Register with SAM

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 past three years, if applicable.

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 : FEMA GO Startup Guide.

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

Google Chrome;

Mozilla Firefox;

Apple Safari; and

Microsoft Edge.

Applicants using tablet type devices or other browsers may encounter issues with using FEMA GO.

Submitting the Final Application:

Applicants will be prompted to submit the standard application information, and any program-specific information required. Standard Forms (SF) may be accessed in the Forms tab under the: SF-424 Family | Grants.gov.

Applicants should review these forms before applying to ensure they are providing all required information.

After submitting the final application, FEMA GO will provide either an error message, or an email to the submitting AOR confirming the transmission was successfully received.

B. Application Deadline
08/15/2025 05:00:00 PM Eastern Time

C. Pre-Application Requirements Deadline
Not applicable.

D. Post-Application Requirements Deadline
Not Applicable.

E. Effects of Missing the Deadline

All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of submission and generates an electronic date/time stamp when FEMA GO successfully receives an application. The submitting AOR will receive via email the

official date/time stamp and a FEMA GO tracking number to serve as proof of timely submission prior to the application deadline.

Applicants experiencing system-related issues have until 3:00 PM ET on the date applications are due to notify FEMA. No new system-related issues will be addressed after this deadline. Applications not received by the application submission deadline will not be accepted.

6. Intergovernmental Review

A. Requirement Description and State Single Point of Contact
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.

7. Application Review Information

A. Threshold Criteria

The SAA is the sole entity authorized to submit HSGP applications to FEMA on behalf of the state and subrecipients. This section highlights the specific criteria that determine ineligibility, ensuring applicants understand and adhere to the program's requirements.

a. ***Entities Ineligible for HSGP Funding***

- **Non-SAA Organization -** SAA are the only eligible applicants to submit HSGP applications to FEMA. This includes applications for SHSP, UASI, and OPSG.
- **Unaffiliated or Unauthorized Representatives -** Applications submitted by individuals who are not current employees, personnel, or authorized representatives of the applicant organization (e.g., consultants or contractors acting on behalf of an organization) will be deemed ineligible.
- **Organizations Not Registered in SAM.gov -** Applicants that fail to register and maintain an active profile in SAM.gov, or those without a UEI, are not eligible to receive funding.
- **Direct Applications by Tribal Governments -** Tribal governments cannot directly apply for HSGP funding (SHSP, UASI, OPSG). However, they may receive funding as subrecipients through their state's SAA.

b. ***Ineligible Projects***

- Projects that do not align with the purposes of the HSGP, including those that fail to demonstrate a clear nexus to preventing, preparing for, protecting against, or responding to acts of terrorism.
- Activities not permitted under HSGP guidance or that do not meet criteria for allowable costs as outlined in the NOFO and Preparedness Grants Manual.

c. ***Non-Compliance with Federal Requirements***

- Failure to submit a complete and accurate application by the deadline.
- Applications missing required documentation or information, such as an active registration in SAM.gov or compliance with UEI requirements.

- Entities with a history of non-compliance with federal statutes, regulations, or program requirements that impact eligibility for federal funding.

B. Application Criteria

a. ***Programmatic Criteria***

1. Risk Methodology

The risk methodology determines the relative risk[3] of terrorism a jurisdiction faces by assessing the expressed or implied threats, the asset/system vulnerabilities, and the communal consequences of an attack. The equation for relative risk is comprised of three components: Threat x Vulnerability x Consequence. Each component is comprised of data elements that are reviewed yearly, in collaboration with FEMA stakeholders, to ensure alignment with the changing U.S. terrorism threat environment. Each eligible jurisdiction's relative risk is assessed, which helps to inform grant funding. For more information on the SHSP, UASI, and OPSG target allocation processes, please see Appendix 11.A.

The three components of risk and their functions are outlined below:

- Threat: Assesses reports documenting indication of potential harm to life, information, operations, the environment and/or property within a jurisdiction.
- Vulnerability: Assesses assets and systems - such as infrastructure, borders, special events, and movements of individuals or groups - that may render terrorist attacks on a jurisdiction more likely to succeed, if attempted.
- Consequence: Assesses the impact of a terrorist attack on a jurisdiction through direct measures such as the numerical values for its population, gross domestic product, and infrastructure.

NOTE: The risk methodology is separate from the THIRA/SPR process. Risk methodology results do affect grant target allocations while the THIRA/SPR process does not.

b. ***Application Evaluation Criteria***

FEMA will evaluate the FY 2025 HSGP applications for completeness, adherence to programmatic guidelines, and anticipated effectiveness of the proposed investments. FEMA's review will include verification that each IJ and project:

- Aligns with at least one core capability identified in the Goal;
- Demonstrates how investments support building capability and/or closing capability gaps or sustaining capabilities identified in the THIRA/SPR process; and
- Supports a NIMS-typed resource and whether those assets are deployable/shareable to support emergency or disaster operations per existing EMAC agreements.

[3] DHS defines risk as: "potential for an adverse outcome assessed as a function of hazard/threats, assets and their vulnerabilities, and consequences." See DHS Lexicon Terms and Definitions: 2018 Edition – Revision 04, (Apr. 2018)

In addition to the above, FEMA will evaluate whether proposed projects are: 1) both feasible and effective at reducing the risks for which the project was designed; and 2) able to be fully completed within the three-year period of performance. FEMA will use the information provided in the application and after the submission of the first BSIR to determine the feasibility and effectiveness of a grant project. To that end, IJs should include:

- An explanation of how the proposed project(s) will achieve objectives as identified in the SPR, including expected long-term impact where applicable, and which core capability gap(s) it helps to close and how;
- A summary of the status of planning and design efforts accomplished to date (e.g., included in a capital improvement plan); and
- A project schedule with clear milestones.

Recipients are expected to conform, as applicable, with accepted engineering practices, established codes, standards, modeling techniques, and best practices, and participate in the development of case studies demonstrating the effective use of grant funds, as requested.

FEMA will also review any submitted NPA-aligned IJs and projects to ensure they meet the minimum spend requirements. Additional information on how the NPA IJs and projects will be reviewed for effectiveness is included in the Review and Selection Process section below.

b. *Review and Selection Process*

1. SHSP and UASI

FY 2025, HSGP applications will be reviewed through a two-phase state and federal review process for completeness, adherence to programmatic guidelines, feasibility, and how well the IJ (project description and justification) addresses the identified risk(s).

State Review

The SAA is the sole entity authorized to submit HSGP applications to FEMA on behalf of the state and subrecipients. The SAA reviews subaward applications to ensure they meet the legal, financial, and programmatic requirements set forth by FEMA and the state's guidelines before submitting on behalf of the state to DHS/FEMA.

Federal Review

All proposed investments will undergo a federal review by DHS/FEMA to ensure compliance with all administrative and eligibility criteria identified in the NOFO. The Federal Reviewers will check each proposed investment for the following:

- Eligibility, feasibility, and alignment with the application criteria listed in this NOFO;
- Compliance and effectiveness in addressing NPAs, ensuring required spend percentages are met;
- Compliance with SAFECOM Guidance on Emergency Communications Grants (SAFECOM Guidance); and,
- LETPA project alignment with program objectives and required spend percentages.

National Priority Area Funding Holds

If applicants submit IJs and project-level details at the time of application, FEMA will evaluate effectiveness prior to award. If projects do not sufficiently align with NPAs, up to 30% of funds may be placed on hold until revisions are made.

If applicants submit IJs and project-level details as part of their December 2026 BSIR, 30% of funds will be placed on hold until FEMA reviews the BSIR and confirms alignment with NPAs.

2. OPSG

For OPSG, applications will be reviewed by the SAA and USBP Sector Headquarters for completeness and adherence to programmatic guidelines and evaluated for anticipated feasibility, need, and impact.

DHS/FEMA will verify compliance with all administrative and eligibility criteria outlined in the NOFO.

OPSG funds will be allocated among the eligible jurisdictions based on risk-based prioritization using the OPSG Risk Assessment described in Appendix A. Final funding allocations are determined by the Secretary of Homeland Security, who may consider information and input from various law enforcement offices or subject-matter experts within the Department. Factors considered include, but are not limited to:

- Threat and vulnerability assessments
- Total miles of the border
- Border-specific law enforcement intelligence
- Feasibility of Operations Orders to designated localities within border states and territories.

This comprehensive review and selection process ensures that HSGP and OPSG funds are distributed effectively to enhance national preparedness, border security, and overall homeland security efforts.

C. Financial Integrity Criteria

Before making an award, FEMA is required to review OMB-designated databases for applicants' eligibility and financial integrity information. This is required by the Payment Integrity Information Act of 2019 (Pub. L. No. 116-117, § 2 (2020)), 41 U.S.C. § 2313, and the "Do Not Pay Initiative" (31 U.S.C. 3354). For more details, please see 2 C.F.R. § 200.206.

Thus, the Financial Integrity Criteria may include the following risk-based considerations of the applicant:

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

D. Supplemental Financial Integrity Criteria and Review
Before making an award expected to exceed the simplified acquisition threshold (currently a total federal share of $250,000) over the period of performance:
FEMA is required by 41 U.S.C. § 2313 to review or consider certain information found in SAM.gov. For details, please see 2 C.F.R. § 200.206(a)(2).

1. An applicant may review and comment on any information in the responsibility/qualification records available in SAM.gov.
2. Before making decisions in the risk review required by 2 C.F.R. § 200.206, FEMA will consider any comments by the applicant.

E. Reviewers and Reviewer Selection
Reviewers for the HSGP NOFO are selected from within FEMA, across the federal government, and, where applicable, may include external subject matter experts. These reviewers are chosen based on their expertise in homeland security, emergency management, and grant administration.

To prevent conflicts of interest, reviewers must disclose any personal or professional relationships with applicants before the review process begins. Any individual with a conflict is recused from evaluating the affected application. Additionally, reviewers are required to complete ethics and impartiality training to ensure a fair and unbiased review process.

F. Merit Review Process
HSGP applications are not reviewed solely on merit. While merit plays a role—such as evaluating the effectiveness, feasibility, and impact of proposed investments—the review process heavily incorporates risk-based methodologies and compliance criteria. HSGP does not use a weighted scoring method. All criteria are considered equally during the review process.

Review Process:

- State Review (SHSP and UASI): The SAA conducts an initial eligibility review and prioritizes projects for submission to FEMA.
- OPSG Review: OPSG applications are reviewed in coordination with the SAA and USBP Sector Headquarters to assess completeness, feasibility, need, and the anticipated impact of proposed Operations Orders.
- Federal Review: FEMA conducts a federal review of all applications to ensure eligibility, feasibility, and compliance with NOFO requirements.

While merit is a key factor in assessing alignment with national priorities, state and local needs, expected impact, and cost-effectiveness, funding decisions also weigh risk assessments, eligibility criteria, and available funding target allocations.

G. Final Selection
The Secretary of Homeland Security makes the final funding decisions, considering risk assessments, subject-matter expert input, and project feasibility, while also ensuring alignment with national priorities and compliance with legal, financial, and policy guidelines for strategic allocation of funds.

8. Award Notices

A. Notice of Award

The Authorized Organization Representative (AOR) should carefully read the federal award package before accepting the federal award. The federal award package includes instructions on administering the federal award as well as terms and conditions for the award.

By submitting an application, applicants agree to comply with the prerequisites stated in this NOFO and the material terms and conditions of the federal award, should they receive an award.

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 award package notification email is sent via the grant application system to the submitting AOR.

Recipients must accept their awards no later than 60 days from the award date. Recipients shall notify FEMA of their intent to accept the award and proceed with work via the FEMA GO system. For more information on award acceptance, refer to the FEMA GO Award Acceptance Guide.

For HSGP, "receipt of funds" happens when the recipient accepts the award or 15 calendar days after receiving the award notification, whichever comes first. IF the recipient accepts the award within 15 calendar days of the notification, the 45-day pass-through period starts on the acceptance date. If the recipient does not accept the award within 15 calendar days, the 45-day pass-through period automatically begins 15 calendar days after the notification is sent through FEMA GO. For detailed guidance on managing preparedness grants, including pass-through requirements and timelines, please refer to the FEMA Preparedness Grants Manual, Pass-Through Requirements.

Funds will remain on hold until the recipient accepts the award via FEMA GO 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.

B. Pass-Through Requirements

Under HSGP, SAAs must pass at least 80% of SHSP and UASI funding to local or tribal governments. The state may retain up to 20% for state-level needs. "Pass-through" means SAAs must allocate funds to eligible entities as defined by law, such as counties, municipalities, tribal governments, or other public entities. For detailed guidance on HSGP pass-through requirements and timelines, please see Section 8 of the FEMA Preparedness Grants Manual.

After award acceptance, the state must pass through at least 80% of SHSP and UASI funds to local or tribal governments within 45 days. The timeline starts when the SAA accepts the award or 15 days after FEMA notifies the SAA, whichever is sooner. Funds must be distributed unconditionally, and the SAA must certify to FEMA that the pass-through is complete, listing amounts and recipients. U.S. territories are exempt, except for Puerto Rico, which must comply. States may keep more than 20% of funds only with written consent from local recipients, outlining the retained amount and purpose.

C. Note Regarding Pre-Award Costs
Even if pre-award costs are allowed, beginning performance is at the applicant and/or sub-applicant's own risk.

D. Obligation of Funds
The funds are obligated when the SAA's signatory authority accepts the award and signs the award package.

E. Notification to Unsuccessful Applicants
During the post-award review, FEMA will notify the recipient about unsuccessful subrecipients or projects and provide feedback. The SAA is then responsible for notifying the subapplicants and sharing any relevant feedback or information.

9. Post-Award Requirements and Administration

A. Administrative and National Policy Requirements

Presidential Executive Orders

Recipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference.

In accordance with Executive Order 14305, Restoring American Airspace Sovereignty (June 6, 2025), and to the extent allowed by law, eligible state, local, tribal, and territorial grant recipients under this NOFO are permitted to purchase unmanned aircraft systems, otherwise known as drones, or equipment or services for the detection, tracking, or identification of drones and drone signals, consistent with the legal authorities of state, local, tribal, and territorial agencies. Recipients must comply with all applicable federal, state, and local laws and regulations, and adhere to any statutory requirements on the use of federal funds for such unmanned aircraft systems, equipment, or services.

Subrecipient Monitoring and Management

Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.

B. DHS Standard Terms and Conditions
A recipient under this funding opportunity must comply with the DHS Standard Terms and Conditions in effect of the date of the federal award. The DHS Standard Terms and Conditions are available DHS Standard Terms and Conditions | Homeland Security. For continuation awards, the terms and conditions for the initial federal award will apply unless otherwise specified in the terms and conditions of the continuation award. The specific version of the DHS Standard Terms and Conditions applicable to the federal award will be in the federal award package.

C. Financial Reporting Requirements Financial Reporting Requirements

See the Preparedness Grants Manual for information on financial reporting requirements.

D. Programmatic Performance Reporting Requirements
See the Preparedness Grants Manual for information on performance reporting requirements.

E. Closeout Reporting Requirements
See the Preparedness Grants Manual for information on closeout reporting requirements and administrative closeout.

Anytime there is a change in personnel for any of the awardees and/or subrecipients, their information needs to be submitted for approval (all the previous personal information identified).

F. Disclosing Information per 2 C.F.R. § 180.335
Before entering into a federal award, the applicant must notify FEMA if it knows that the applicant or any of the principals (as defined at 2 C.F.R. § 180.995) for the federal award:

1. Are presently excluded or disqualified;
2. Have been convicted within the preceding three years of any of the offenses listed in § 180.800(a) or had a civil judgment rendered against you for one of those offenses within that time period;
3. Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with the commission of any of the offenses listed in § 180.800(a); or
4. Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

This is requirement is fully described in 2 C.F.R. §180.335.

Additionally, 2 C.F.R. § 180.350 requires recipients to provide immediate notice to FEMA at any time after entering a federal award if:

1. The recipient learns that either it failed to earlier disclose information as required by 2 C.F.R. § 180.335;
2. Due to changed circumstances, the applicant or any of the principals for the federal award now meet the criteria at 2 C.F.R. § 180.335 listed above.

G. Reporting of Matters Related to Recipient Integrity and Performance
Appendix XII to 2 C.F.R. Part 200 states the terms and conditions for recipient integrity and performance matters used for this funding opportunity.

If the total value of all active federal grants, cooperative agreements, and procurement contracts for a recipient exceeds $10,000,000 at any time during the period of performance:

1. The recipient must maintain the currency of information reported in SAM.gov about civil, criminal, or administrative proceedings described in paragraph 2 of Appendix XII;
2. The required reporting frequency is described in paragraph 4 of Appendix XII.

H. Single Audit Report
A recipient expending $1,000,000 or more in federal awards (as defined by 2 C.F.R. § 200.1) during its fiscal year must undergo an audit. This may be either a single audit complying with 2

C.F.R. § 200.514 or a program-specific audit complying with 2 C.F.R. §§ 200.501 and 200.507. Audits must follow 2 C.F.R. Part 200, Subpart F, 2 C.F.R. § 200.501, and the U.S. Government Accountability Office (GAO) Generally Accepted Government Auditing Standards.

I. Monitoring and Oversight

Per 2 C.F.R. § 200.337, DHS and its authorized representatives have the right of access to any records of the recipient or subrecipient pertinent to a Federal award to perform audits, site visits, and any other official use. 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 or the Federal award in general.

Pursuant to this right and per 2 C.F.R. § 200.329, DHS may conduct desk reviews and make site visits to review and evaluate project accomplishments and management control systems as well as provide any required technical assistance. Recipients and subrecipients must respond in a timely and accurate manner to DHS requests for information relating to a federal award.

J. Program Evaluation

Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), PUBL435.PS urges federal agencies to use program evaluation as a critical tool to learn, improve 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). OMB A-11, Section 290 (Evaluation and Evidence-Building Activities) further outlines the standards and practices for evaluation activities. Federal agencies are required to specify any requirements for recipient participation in program evaluation activities (2 C.F.R. § 200.301). Program evaluation activities incorporated from the outset in the NOFO and program design and implementation allow recipients and agencies to meaningfully document and measure progress and achievement towards program goals and objectives, and identify program outcomes and lessons learned, as part of demonstrating recipient performance (2 C.F.R. § 200.301).

As such, recipients and subrecipients are required to participate in a Program Office (PO) or a DHS Component-led evaluation, if selected. This may be carried out by a third-party on behalf of the PO or the DHS Component. Such an evaluation may involve information collections including but not limited to, records of the recipients, surveys, interviews, or discussions with individuals who benefit from the federal award, program operating personnel, and award recipients; and site visits or other observation of recipient activities, as specified in a DHS Component or PO-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) in accordance with 2 C.F.R.§ 200.413.

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.

K. Additional Performance Reporting Requirements

Award recipients must submit the following reports: quarterly financial reports, semi-annual performance reports and BSIR submissions, final financial and performance reports, and an

annual audit report (if required). These must follow the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, found at 2 C.F.R. Part 200, or specific conditions of the award. If reports are late, future funding or fund access may be delayed, and additional reports may be requested in some cases.

a. *Reporting on the Implementation of the National Preparedness System*
Recipients are required to complete the THIRA every three years and the SPR annually through the URT on the Preparedness Toolkit no later than Dec. 31. These assessments help jurisdictions identify and address capability gaps to enhance overall preparedness. See the Preparedness Grants Manual for information on reporting on the Implementation of the National Preparedness System.

b. *BSIR*
In addition to submitting semi-annual progress reports, recipients are required to complete the BSIR. The BSIR is submitted twice a year—in June and December—and provides detailed updates on the status and progress of funded projects. For comprehensive guidance on BSIR submission and other reporting requirements, see the Preparedness Grants Manual.

c. *Emergency Communications Investments - SAFECOM Compliant Letter*
An Emergency Communications Investments - SAFECOM Compliant Letter is required when utilize federal grants to fund emergency communications projects. The signatory authority for the SAA must certify in writing to DHS/FEMA their compliance with the SAFECOM Guidance. The certification letter should be coordinated with the Statewide Interoperability Coordinators (SWIC) for each state and must be uploaded to FEMA GO at the time of the Winter BSIR submission.

For detailed information on SAFECOM Guidance and compliance requirements, refer to the https://www.cisa.gov/safecom/funding. If you have further questions or need assistance, contact the SAFECOM Program at SAFECOMGovernance@cisa.dhs.gov.

d. *Operations Orders for OPSG*
The Operations Order (OO) is a detailed plan that explains the specific aspects of an operation, including its goals, tasks, timelines, and resources needed. It provides clear instructions on how to carry out the operation, identifying who is responsible for each task, the resources required, and the expected results. Recipients are required to submit an OO to show their ability to implement the proposed activities effectively, align with program goals, and meet funding requirements.

1. Accessing the OO Template Instructions

To access the OPSG OO Template:

- Find the HSGP posting via the search function on Grants.gov;
- Select the Related Documents tab on the posting; and
- Click on the OPSG OO Template and fill out all sections of the template.

- Writing the Executive Summary

The OO Executive Summary must:

- Identify the organization name, point of contact, committees, and other structures accountable for implementing OPSG in the jurisdiction (typically this will be a program lead or manager overseeing operations and individuals assigned to that agency); and
- Describe how federal and SLTT law enforcement agencies will work together to establish and enhance coordination and collaboration on border security issues.

3. Budget Requirements Overview

The OO Detailed Annual Budget must:

- Explain how costs and expenses were estimated; and
- Provide a narrative justification for costs and expenses.
- Supporting tables describing cost and expense elements (e.g., equipment, fuel, vehicle maintenance costs) may be included.

4. Submission Requirements

The OO must meet the following submission requirements:

- Must be submitted as an Adobe PDF document;
- All documents submitted must use the unique identifier created by the OPSG data management system from the original associated operation order; and
- Applicable OPSG sector representatives must coordinate with the SAA and OPSG participants to submit an accurate inventory of all specified OPSG purchased property with each Operations Order/ Fragmentary Order (FRAGO).

L. Termination of the Federal Award

1. Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 sets forth a term and condition entitled "Termination of a Federal Award." The termination provision condition listed below applies to the grant award and the term and condition in Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 does not.

2. Termination of the Federal Award by FEMA
   FEMA may terminate the federal award in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:
   a. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.
   b. With the consent of the recipient, in which case FEMA and the recipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.

c. If the federal award no longer effectuates the program goals or agency priorities. Under this provision, FEMA may terminate the award for these purposes if any of the following reasons apply:

i. If DHS/FEMA, in its sole discretion, determines that a specific award objective is ineffective at achieving program goals as described in this NOFO;
ii. If DHS/FEMA, in its sole discretion, determines that an objective of the award as described in this NOFO will be ineffective at achieving program goals or agency priorities;
iii. If DHS/FEMA, in its sole discretion, determines that the design of the grant program is flawed relative to program goals or agency priorities;
iv. If DHS/FEMA, in its sole discretion, determines that the grant program is not aligned to either the DHS Strategic Plan, the FEMA Strategic Plan, or successor policies or documents;
v. If DHS/FEMA, in its sole discretion, changes or re-evaluates the goals or priorities of the grant program and determines that the award will be ineffective at achieving the updated program goals or agency priorities; or
vi. For other reasons based on program goals or agency priorities described in the termination notice provided to the recipient pursuant to 2 C.F.R. § 200.341.
vii. If the awardee falls out of compliance with the Agency's statutory or regulatory authority, award terms and conditions, or other applicable laws.

3. Termination of a Subaward by the Pass-Through Entity

The pass-through entity may terminate a subaward in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

a. If the subrecipient fails to comply with the terms and conditions of the Federal award.
b. With the consent of the subrecipient, in which case the pass-through entity and the subrecipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
c. If the pass-through entity's award has been terminated, the pass-through recipient will terminate its subawards.

4. Termination by the Recipient or Subrecipient
The recipient or subrecipient may terminate the federal award in whole or in part for the following reason identified in 2 C.F.R. § 200.340: Upon sending FEMA or pass-through entity a written notification of the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if FEMA or the pass-through entity determines that the remaining portion of the federal award will not accomplish the purposes for which the Federal award was made, FEMA or the pass-through entity may terminate the Federal award in its entirety.

5. Impacts of Termination
a. When FEMA terminates the Federal award prior to the end of the period of performance due to the recipient's material failure to comply with the terms and conditions of the

Federal award, FEMA will report the termination in SAM.gov in the manner described at 2 C.F.R. § 200.340(c).

b. When the Federal award is terminated in part or its entirety, FEMA or the pass-through entity and recipient or subrecipient remain responsible for compliance with the requirements in 2 C.F.R. §§ 200.344 and 200.345.

6. Notification requirements

FEMA or the pass-through entity must provide written notice of the termination in a manner consistent with 2 C.F.R. § 200.341. The federal award will be terminated on the date of the notification unless stated otherwise in the notification.

7. Opportunities to Object and Appeal

Where applicable, when FEMA terminates the Federal award, the written notification of termination will provide the opportunity and describe the process, to object and provide information challenging the action, pursuant to 2 C.F.R. § 200.342.

8. Effects of Suspension and Termination

The allowability of costs to the recipient or subrecipient resulting from financial obligations incurred by the recipient or subrecipient during a suspension or after the termination of a federal award are subject to 2 C.F.R. 200.343.

M. Best Practices

While not a requirement in the DHS Standard Terms and Conditions, as a best practice, entities receiving funds through this program should ensure that cybersecurity is integrated into the design, development, operation, and maintenance of investments that impact information technology (IT) and/ or operational technology (OT) systems. Additionally,, "The recipient and subrecipient must … take reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information." 2 C.F.R. § 200.303(e).

N. Payment Information

Recipients will submit payment requests in FEMA GO for FY25 awards under this program.

Instructions to Grant Recipients Pursuing Payments

FEMA reviews all grant payments and obligations to ensure allowability in accordance with 2 C.F.R. § 200.305. These measures will ensure funds are disbursed appropriately while continuing to support and prioritize communities who rely on FEMA for assistance. Once a recipient submits a payment request, FEMA will review the request. If FEMA approves a payment, it will process through FEMA GO and inform recipients accordingly for drawdown purposes. If FEMA disapproves a payment, FEMA will inform the recipient.

Processing and Payment Timeline

FEMA must comply with regulations governing payments to grant recipients. See 2 C.F.R. § 200.305. For grant recipients other than States, 2 C.F.R. § 200.305(b)(3) stipulates that FEMA is

to make payments on a reimbursement basis within 30 days after receipt of the payment request, unless FEMA reasonably believes the request to be improper. For state recipients, 2 C.F.R. § 200.305(a) instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements ("Treasury-State agreement") and default procedures codified at 31 C.F.R. part 205 and Treasury Financial Manual (TFM) 4A-2000, "Overall Disbursing Rules for All Federal Agencies." *See* 2 C.F.R. § 200.305(a).

Treasury-State agreements generally apply to "major federal assistance programs" that are governed by 31 C.F.R. part 205, subpart A and are identified in the Treasury-State agreement. 31 C.F.R. §§ 205.2, 205.6. Where a federal assistance (grant) program is not governed by subpart A, payment and funds transfers from FEMA to the state are subject to 31 C.F.R. part 205, subpart B. Subpart B requires FEMA to "limit a funds transfer to a state to the minimum amounts needed by the state and must time the disbursement to be in accord with the actual, immediate cash requirements of the state in carrying out a federal assistance program or project. The timing and amount of funds transfers must be as close as is administratively feasible to a state's actual cash outlay for direct program costs and the proportionate share of any allowable indirect costs." 31 C.F.R. § 205.33(a). Nearly all FEMA grants are not "major federal assistance programs." As a result, payments to states for those grants are subject to the "default" rules of 31 C.F.R. part 205, subpart B.

If additional information is needed, a request for information will be issued by FEMA to the recipient; recipients are strongly encouraged to respond to any additional FEMA request for information inquiries within three business days. If an adequate response is not received, the request may be denied, and the entity may need to submit a new reimbursement request; this will re-start the 30-day timeline.

Submission Process

All non-disaster grant program reimbursement requests must be reviewed and approved by FEMA prior to drawdowns.

For all non-disaster reimbursement requests (regardless of system), please ensure submittal of the following information:

1. Grant ID / Award Number
2. Total amount requested for drawdown
3. Purpose of drawdown and timeframe covered (must be within the award performance period)
4. Subrecipient Funding Details (if applicable).
    - Is funding provided directly or indirectly to a subrecipient?
        - If **no,** include statement "This grant funding is not being directed to a subrecipient."
    - If **yes**, provide the following details:
        - The name, mission statement, and purpose of each subrecipient receiving funds, along with the amount allocated and the specific role or activity being reimbursed.
        - Whether the subrecipient's work or mission involves supporting aliens, regardless of whether FEMA funds support such activities.

- Whether the payment request includes an activity involving support to aliens.
- Whether the subrecipient has any DEI practices.

5. Supporting documentation to demonstrate that expenses are allowable, allocable, reasonable, and necessary under 2 C.F.R. Part 200 and in compliance with the grant's NOFO, award terms, and applicable federal regulations.

O. Immigration Conditions
1. Materiality of Pending Immigration Condition
An immigration term and condition, including those in the DHS Standard Terms and Conditions, may be material to the Department of Homeland Security's decision to make this grant award, and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or any local government subrecipient fails to comply with this term and condition. No final agency determination has been made as of the date of this publication.

10. Other Information

A. Period of Performance Extension
Extensions to the period of performance are allowed.

Recipients should consult with their FEMA point of contact for requirements related to a performance period extension.

B. Other Information

a. *Environmental Planning and Historic Preservation (EHP) Compliance*
See the Preparedness Grants Manual for information on EHP compliance.

b. *Procurement Integrity*
See the Preparedness Grants Manual for information on procurement integrity

c. *Financial Assistance Programs for Infrastructure*
1. Recipients and subrecipients must comply with FEMA's implementation requirements of 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, Buy America Preferences for Infrastructure Projects 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.

To see whether a particular FEMA federal financial assistance program is considered an infrastructure program and thus required to implement FEMA's Build America, Buy America requirements, please see Programs and Definitions: Build America, Buy America Act | FEMA.gov.

2. 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, or
- 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, or
- 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%.

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.

3. Definitions

For definitions of the key terms of the Build America, Buy America Act, please visit Programs and Definitions: Build America, Buy America Act | FEMA.gov.

d. *Mandatory Disclosures*

The non-Federal entity 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)

e. *Adaptive Support*
See the Preparedness Grants Manual for information on disability integration.

f. *Record Retention*
See the Preparedness Grants Manual for information on record retention.

g. ***Actions to Address Noncompliance***
See the Preparedness Grants Manual for information on actions to address noncompliance.

h. ***Audits***
See the for information on audits.

11. Appendix A: HSGP Target Allocations

HSGP Programs	FY 2025 Target Allocation
SHSP	$373,500,000
UASI	$553,500,000
OPSG	$ 81,000,000
Total	**$1,008,000,000**

A. SHSP Target Allocations
For FY 2025, DHS/FEMA will distribute SHSP funds based on their risk assessment methodology and legal minimums outlined in the *Homeland Security Act of 2002*, as amended. ***THIRA and SPR results do not affect how grant funds are allocated.***

Each state and territory will receive a guaranteed minimum amount:

- All 50 states, Washington, D.C., and Puerto Rico will receive at least 0.35% of the total funds available under Sections 2003 and 2004 of the Homeland Security Act.
- The four territories (American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands) will receive at least 0.08% of the total funds available under these sections.

States must include a separate IJ for the NPA focused on Enhancing Election Security (at least 3% minimum spend requirement) and Supporting Border Crisis Response and Enforcement (at least a 10% minimum spend requirement), but there is flexibility on the remaining 17% required to meet the overall 30% minimum spend requirement for the NPAs associated with the SHSP allocation.

These are target allocations pending final decisions by the Department of Homeland Security. These target allocations act as an estimate, and final allocations may be different in the award letter.

Fiscal Year 2025 State Homeland Security Program Target Allocations

State/Territory	FY 2025 Target Allocation	State/Territory	FY 2025 Target Allocation
Alabama	$4,362,750	Montana	$4,362,750
Alaska	$4,362,750	Nebraska	$4,362,750
American Samoa	$997,200	Nevada	$4,362,750
Arizona	$5,023,205	New Hampshire	$4,362,750
Arkansas	$4,362,750	New Jersey	$5,065,776
California	$55,863,486	New Mexico	$4,362,750
Colorado	$4,362,750	New York	$38,200,874
Connecticut	$4,362,750	North Carolina	$4,631,809
Delaware	$4,362,750	North Dakota	$4,362,750
District of Columbia	$4,362,750	Northern Mariana Islands	$997,200
Florida	$15,745,665	Ohio	$5,643,542
Georgia	$7,272,801	Oklahoma	$4,362,750
Guam	$1,110,150	Oregon	$4,362,750
Hawaii	$4,362,750	Pennsylvania	$9,407,455
Idaho	$4,362,750	Puerto Rico	$4,362,750
Illinois	$10,419,556	Rhode Island	$4,362,750
Indiana	$4,362,750	South Carolina	$4,362,750
Iowa	$4,362,750	South Dakota	$4,362,750
Kansas	$4,362,750	Tennessee	$4,362,750
Kentucky	$4,362,750	Texas	$26,066,797
Louisiana	$4,362,750	U.S. Virgin Islands	$997,200
Maine	$4,362,750	Utah	$4,362,750
Maryland	$4,990,556	Vermont	$4,362,750
Massachusetts	$5,390,887	Virginia	$8,770,850
Michigan	$4,362,750	Washington	$5,483,241
Minnesota	$4,362,750	West Virginia	$4,362,750
Mississippi	$4,362,750	Wisconsin	$4,362,750
Missouri	$4,362,750	Wyoming	$4,362,750
Total			**$373,500,000.00**

B. UASI Target Allocations

For FY 2025, the UASI program will provide funding to high-risk urban areas. Eligibility has been determined through an analysis of relative risk of terrorism faced by the 100 most populous Metropolitan Statistical Areas (MSA) in the United States, as outlined in the *Homeland Security Act of 2002*, as amended. Detailed information on MSAs is available from the U.S. Census

Bureau at Metropolitan and Micropolitan (census.gov). ***It is important to note that results from THIRA/SPR do not impact grant allocations or awards.***

The Metropolitan Areas Standardization and Protection (MAPS) Act of 2021 (P.L. 117-219) prohibits automatic updates to core-based statistical areas, which are used to define MSAs, for grantmaking purposes. Any changes require a formal rulemaking process with public notice and comment. If changes become necessary in FY 2025, FEMA will initiate this process as required by the MAPS Act.

The table below lists the UASI allocations for each high-risk urban area based on DHS/FEMA's risk-informed assessment in accordance with the *Homeland Security Act of 2002*, as amended. Each high-risk urban area, through its state, must include a separate IJ for the NPA "Enhancing Election Security", which has a required minimum spend of 3%, and "Supporting Border Crisis Response and Enforcement", which has a 10% minimum spend requirement. ***All projects related to these requirements must be included in the separate IJs.*** Additionally, the combined funding across all five NPAs must total at least 30% of the area's overall UASI allocation.

These are target allocations pending final decisions by the Department of Homeland Security. These target allocations act as an estimate, and final allocations may be different in the award letter.

Fiscal Year 2025 Urban Area Security Initiative Target Allocations

State/Territory	Funded Urban Area	FY 2025 UASI Target Allocation
Arizona	Phoenix-Mesa-Chandler, AZ	$12,910,357
California	Anaheim-Santa Ana-Irvine, CA	$8,842,298
	Los Angeles-Long Beach-Glendale, CA	$38,664,255
	Riverside-San Bernardino-Ontario, CA	$7,134,344
	Sacramento-Roseville-Folsom, CA	$4,516,008
	San Diego-Chula Vista-Carlsbad, CA	$17,716,678
	San Francisco-San Jose-Oakland, CA	$32,451,685
Colorado	Colorado Springs, CO	$2,926,754
	Denver-Aurora-Lakewood, CO	$6,909,902
District of Columbia	Washington-Arlington-Alexandria, DC-VA-MD-WV	$25,270,521
Florida	Jacksonville, FL	$4,589,968
	Miami-Fort Lauderdale-Pompano Beach, FL	$15,683,707
	Orlando-Kissimmee-Sanford, FL	$6,611,279
	Tampa-St. Petersburg-Clearwater, FL	$7,296,816
Georgia	Atlanta-Sandy Springs-Alpharetta, GA	$14,564,394
Hawaii	Honolulu, HI	$6,338,443
Illinois	Chicago-Naperville-Elgin, IL-IN-WI	$33,479,819
Indiana	Indianapolis-Carmel-Anderson, IN	$3,367,289
Louisiana	New Orleans-Metairie, LA	$4,546,754

Maryland	Baltimore-Columbia-Towson, MD	$7,709,724
Massachusetts	Boston-Cambridge-Newton, MA-NH	$16,838,838
Michigan	Detroit-Warren-Dearborn, MI	$8,123,989
Minnesota	Minneapolis-St. Paul-Bloomington, MN-WI	$9,526,217
Missouri	St. Louis, MO-IL	$6,281,491
	Kansas City, MO-KS	$4,191,663
Nevada	Las Vegas-Henderson-Paradise, NV	$8,958,896
New Jersey	Newark-Jersey City-New Brunswick, NJ-PA	$13,928,247
New York	New York-White Plains, NY	$92,180,364
North Carolina	Charlotte-Concord-Gastonia, NC-SC	$4,285,035
Ohio	Cincinnati, OH-KY-IN	$4,166,331
	Columbus, OH	$4,062,892
	Cleveland-Elyria, OH	$4,309,739
Oregon	Portland-Vancouver-Hillsboro, OR-WA	$6,703,242
Pennsylvania	Philadelphia-Camden-Wilmington, PA-NJ-DE-MD	$18,464,547
	Pittsburgh, PA	$4,716,651
Tennessee	Nashville-Davidson--Murfreesboro--Franklin, TN	$4,150,624
Texas	Austin-Round Rock-Georgetown, TX	$3,753,183
	Dallas-Fort Worth-Arlington, TX	$16,798,290
	Houston-The Woodlands-Sugar Land, TX	$26,233,082
	San Antonio-New Braunfels, TX	$6,627,754
Virginia	Richmond, VA	$3,485,377
	Virginia Beach-Norfolk-Newport News, VA-NC	$8,382,039
Washington	Seattle-Tacoma-Bellevue, WA	$12,713,580
Wisconsin	Milwaukee-Waukesha, WI	$3,086,934
Total		**$553,500,000**

C. OPSG Target Allocations

For FY 2025, DHS/FEMA will award OPSG funds based on two main factors: the risk to border security and the anticipated effectiveness of proposed projects. The OPSG risk assessment identifies potential threats to border security, guiding the distribution of funds to areas with the highest need. Eligible applicants are local, and tribal law enforcement agencies located along the U.S. borders.

For OPSG, "risk" refers to the potential for adverse outcomes, assessed by evaluating threats, vulnerabilities, and consequences associated with specific incidents or events. The risk model used to allocate OPSG funds considers the potential risk that certain threats pose to border security and estimates the relative risk faced by a given area. In evaluating threat, DHS/CBP considers intelligence, situational awareness, criminal trends, and statistical data specific to each of the border sectors, and the potential impacts that these threats pose to the security of the border area. For vulnerability and consequence, DHS/CBP considers the expected impact and consequences of successful border events occurring in specific areas. The effectiveness of proposed investments is evaluated based on the subrecipient's investment strategy, budget, collaboration, and past performance.

These are target allocations pending final decisions by the Department of Homeland Security. These target allocations act as an estimate, and final allocations may be different in the award letter.

Fiscal Year 2025 Operation Stonegarden Eligible* Target Allocations

State/Territory	FY 2025 Target Allocation	State/Territory	FY 2025 Target Allocation
Alabama	$350,000	Montana	$1,672,000
Alaska	$750,000	Nebraska	$0
American Samoa	$0	Nevada	$0
Arizona	$12,220,000	New Hampshire	$200,000
Arkansas	$0	New Jersey	$0
California	$12,100,000	New Mexico	$2,675,000
Colorado	$0	New York	$2,670,000
Connecticut	$0	North Carolina	$0
Delaware	$0	North Dakota	$1,542,000
District of Columbia	$0	Northern Mariana Islands	$0
Florida	$2,790,000	Ohio	$825,000
Georgia	$90,000	Oklahoma	$0
Guam	$0	Oregon	$0
Hawaii	$0	Pennsylvania	$170,000
Idaho	$180,000	Puerto Rico	$1,330,000
Illinois	$0	Rhode Island	$0
Indiana	$0	South Carolina	$0
Iowa	$0	South Dakota	$0
Kansas	$0	Tennessee	$0
Kentucky	$0	Texas	$33,708,000
Louisiana	$810,000	U.S. Virgin Islands	$90,000
Maine	$1,410,000	Utah	$0
Maryland	$0	Vermont	$150,000
Massachusetts	$0	Virginia	$0
Michigan	$2,286,000	Washington	$1,435,000
Minnesota	$972,000	West Virginia	$0
Mississippi	$575,000	Wisconsin	$0
Missouri	$0	Wyoming	$0
Total			**$81,000,000**

****Eligibility does not guarantee grant funding***

12. Appendix B: Allowable Costs

A. Allowable Cost Matrix for SHSP, UASI, and OPSG
The following matrix lists allowable cost activities across cost categories described above and below. The Preparedness Grants Manual includes additional information on allowable costs. Recipients and subrecipients must follow all applicable requirements in 2 C.F.R. Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. HSGP funds may be used to cover the costs for evaluating the impact of these grants on the state or urban area's core capabilities and capability gaps. This list is not exhaustive, therefore, if there are any questions regarding allowable costs, please contact the appropriate FEMA HQ Preparedness Officer.

Allowable Program Activities	SHSP	UASI	OPSG
Allowable Planning Costs			
Developing hazard/threat-specific annexes	Y	Y	N
Developing and implementing homeland security support programs and adopting ongoing DHS/FEMA national initiatives	Y	Y	N
Developing related terrorism and other catastrophic event prevention activities	Y	Y	N
Developing and enhancing plans and protocols	Y	Y	N
Developing or conducting assessments	Y	Y	N
Hiring of full- or part-time staff or contract/consultants to assist with planning, engagement, and volunteer management activities	Y	Y	N
Materials required to conduct planning, engagement, and volunteer management activities	Y	Y	N
Travel/per diem related to planning, engagement, and volunteer management activities	Y	Y	Y
Overtime and backfill costs (in accordance with operational Cost Guidance)	Y	Y	Y
Issuance of Western Hemisphere Travel Initiative-compliant Tribal identification cards	Y	N	N
Activities to achieve planning inclusive of people with disabilities and others with access and functional needs and limited English proficiency.	Y	Y	N
Coordination with Citizen Corps Councils for public information/education and development of volunteer programs	Y	Y	N
Coordination and material support to Citizen Corps Councils and local firehouses for the establishment, training and maintenance of CERTs	Y	Y	N
Update governance structures and processes and plans for emergency communications	Y	Y	N
Development, and review and revision of continuity of operations plans	Y	Y	N
Development, and review and revision of the THIRA/SPR and continuity of operations plans	Y	Y	N
Allowable Organizational Activities **Note:** Personnel hiring, overtime, and backfill expenses are permitted under this grant only to the extent that such expenses are for the allowable activities within the scope of the grant.			
Program management	Y	Y	N

Allowable Program Activities	SHSP	UASI	OPSG
Development of whole community partnerships	Y	Y	N
Structures and mechanisms for information sharing between the public and private sector	Y	Y	N
Implementing models, programs, and workforce enhancement initiatives	Y	Y	N
Tools, resources, and activities that facilitate shared situational awareness between the public and private sectors	Y	Y	N
Operational support	Y	Y	N
Utilization of standardized resource management concepts	Y	Y	N
Responding to an increase in the threat level under the National Terrorism Advisory System (NTAS), or needs in resulting from a National Special Security Event	Y	Y	N
Reimbursement for select operational expenses associated with increased security measures at critical infrastructure sites incurred (up to 50% of the allocation)	Y	Y	Y
Overtime for information, investigative, and intelligence sharing activities (up to 50% of the allocation)	Y	Y	Y
Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation).	Y	Y	Y
Hiring or maintaining staff positions/contractors/consultants at SLTT levels to deliver community preparedness training, resources and material to schools, community-based organizations, faith-based institutions and local businesses.	Y	Y	N
Hiring or maintaining staff positions/contractors/consultants to create, support and maintain CERT or Teen CERT	Y	Y	N
Cost of migrating online services to the ".gov" domain	Y	Y	N
Allowable Equipment Categories			
Personal Protective Equipment	Y	Y	Y
Explosive Device Mitigation and Remediation Equipment	Y	Y	N
CBRNE Operational Search and Rescue Equipment	Y	Y	N
Information Technology	Y	Y	Y
Cybersecurity Enhancement Equipment	Y	Y	N
Interoperable Communications Equipment	Y	Y	Y
Detection	Y	Y	Y
Decontamination	Y	Y	N
Medical countermeasures	Y	Y	Y
Power (e.g., generators, batteries, power cells)	Y	Y	Y
CBRNE Reference Materials	Y	Y	N
CBRNE Incident Response Vehicles	Y	Y	N
Terrorism Incident Prevention Equipment	Y	Y	Y
Physical Security Enhancement Equipment	Y	Y	Y
Inspection and Screening Systems	Y	Y	Y
Animal Care and Foreign Animal Disease	Y	Y	N
CBRNE Prevention and Response Watercraft	Y	Y	N

Allowable Program Activities	SHSP	UASI	OPSG
CBRNE Prevention and Response Unmanned Aircraft	Y	Y	N
CBRNE Aviation Equipment	Y	Y	N
CBRNE Logistical Support Equipment	Y	Y	N
Intervention Equipment (e.g., tactical entry, crime scene processing)	Y	Y	Y
Critical emergency supplies	Y	Y	N
General use vehicle acquisition, lease, and rental	N	N	Y
Specialized vehicle acquisition, lease, and rental	Y	Y	Y
Other Authorized Equipment	Y	Y	Y
Allowable Training Costs			
Overtime and backfill for emergency preparedness and response personnel attending DHS/FEMA-sponsored and approved training classes	Y	Y	N
Overtime and backfill expenses for part-time and volunteer emergency response personnel participating in DHS/FEMA training	Y	Y	N
Training workshops and conferences	Y	Y	Y
Activities to achieve training inclusive of people with disabilities and others with access and functional needs and limited English proficiency	Y	Y	N
Full- or part-time staff or contractors/consultants	Y	Y	Y
Travel	Y	Y	Y
Supplies	Y	Y	N
Instructor certification/re-certification	Y	Y	N
Coordination with Citizen Corps Councils and CERT in conducting training exercises	Y	Y	N
Preparedness training for community preparedness initiatives and programs	Y	Y	N
Interoperable communications training	Y	Y	N
Activities to achieve planning inclusive of people with limited English proficiency	Y	Y	N
Immigration enforcement training	Y	Y	Y
Allowable Exercise Related Costs			
Design, Develop, Conduct, and Evaluate an Exercise	Y	Y	N
Full- or part-time staff or contractors/consultants	Y	Y	N
Overtime and backfill costs, including expenses for part-time and volunteer emergency response personnel participating in DHS/FEMA exercises	Y	Y	N
Implementation of Homeland Security Exercise and Evaluation Program (HSEEP)	Y	Y	N
Activities to achieve exercises inclusive of people with disabilities and others with access and functional needs	Y	Y	N
Travel	Y	Y	N
Supplies	Y	Y	N
Interoperable communications exercises	Y	Y	N
Activities to achieve planning inclusive of people with limited English	Y	Y	N

Allowable Program Activities	SHSP	UASI	OPSG
proficiency			
Allowable M&A Costs			
Hiring of full- or part-time staff or contractors/consultants to assist with the management of the respective grant program, application requirements, and compliance with reporting and data collection requirements	Y	Y	Y
Development of operating plans for information collection and processing necessary to respond to DHS/FEMA data calls	Y	Y	Y
Overtime and backfill costs	Y	Y	Y
Travel	Y	Y	Y
Meeting related expenses	Y	Y	Y
Authorized office equipment	Y	Y	Y
Recurring expenses such as those associated with cell phones and faxes during the period of performance of the grant program	Y	Y	N
Leasing or renting of space for newly hired personnel during the period of performance of the grant program	Y	Y	N
Completing the Civil Rights Evaluation Tool	Y	Y	Y
Conducting activities related to evaluating project effectiveness for HSGP-funded projects	Y	Y	Y
LETPA Costs			
Integration and interoperability of systems and data, such as computer aided dispatch (CAD) and record management systems (RMS), to facilitate the collection	Y	Y	N
Maturation, enhancement, and sustainment of designated state and major Urban Area fusion centers, including information sharing and analysis, threat recognition, terrorist interdiction, and intelligence analyst training and salaries (subject to certain conditions)	Y	Y	N
Regional counterterrorism training programs for small, medium, and large jurisdictions to exchange information and discuss the current threat environment, lessons learned, and best practices to help prevent, protect against, and mitigate acts of terrorism	Y	Y	N
Coordination of regional full-scale training exercises (federal, state, and local law enforcement participation) focused on terrorism-related events	Y	Y	N
Law enforcement Chemical, Biological, Radiological, Nuclear, and high yield Explosives detection and response capabilities, such as bomb detection/disposal capability development, sustainment, or enhancement, including canine teams, robotics platforms, and x-ray technology	Y	Y	N
Coordination between fusion centers and other operational analytic, and investigative efforts	Y	Y	N
Implementation, maintenance, and sustainment of the Nationwide Suspicious Activity Reporting Initiative	Y	Y	N
Implementation of the "If You See Something, Say Something®" campaign	Y	Y	N
Increase physical security, through law enforcement personnel and other protective measures, by implementing preventive and protective	Y	Y	N

Allowable Program Activities	SHSP	UASI	OPSG
measures at critical infrastructure locations			

B. SHSP and UASI Other Direct Costs

Recipients must comply with all the requirements in 2 C.F.R. Part 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*). In general, recipients should consult with their FEMA HQ Preparedness Officer prior to making any investment that does not clearly meet the allowable expense criteria. Funding guidelines established within this section support four of the five mission areas—Prevention, Protection, Mitigation, and Response—and associated core capabilities within the Goal. While Recovery is part of the Goal, it is not explicitly part of the HSGP. Allowable investments made in support of the national priorities, as well as other capability-enhancing projects must have a nexus to terrorism preparedness and fall into the categories of planning, organization, exercises, training, or equipment, aligned to building capability, closing capability gaps, and/or sustaining capabilities, as defined by CPG 201: THIRA/SPR Guide—3rd Edition (Comprehensive Preparedness Guide (CPG) 201, 3rd Edition (fema.gov)). Recipients are encouraged to use grant funds for evaluating grant-funded project effectiveness and return on investment. FEMA encourages recipients to provide the results of that analysis to FEMA.

a. ***Planning***

SHSP and UASI funds may be used for a range of emergency preparedness and management planning activities, such as those associated with the development, review, and revision of the THIRA, SPR, continuity plans, and other planning activities that support the Goal and placing an emphasis on updating and maintaining a current Emergency Operations Plan (EOP) that conforms to the guidelines outlined in Comprehensive Preparedness Guide (CPG) 101 v3. Planning efforts can also include conducting risk and resilience assessments on increasingly connected cyber and physical systems, on which security depends, using the Infrastructure Resilience Planning Framework and related CISA resources.

Additionally, SHSP and UASI funds may be used for planning efforts related to state court cybersecurity, 911 call capabilities, alert and warning capabilities, and implementation of the REAL ID Act (Pub. L. No. 109-13).

b. ***Organization***

Organization costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

States and high-risk urban areas must justify proposed expenditures of SHSP or UASI funds to support organization activities within their IJ submission. Organizational activities include:

1. Program management;
2. Development of whole community partnerships, through groups such as Citizen Corp Councils;
3. Structures and mechanisms for information sharing between the public and private sector;
4. Implementing models, programs, and workforce enhancement initiatives to address ideologically inspired radicalization to violence in the homeland;

5. Tools, resources, and activities that facilitate shared situational awareness between the public and private sectors;
6. Operational Support;
7. Utilization of standardized resource management concepts such as typing, inventorying, organizing, and tracking to facilitate the dispatch, deployment, and recovery of resources before, during, and after an incident;
8. Responding to an increase in the threat level under the NTAS or needs resulting from a National Special Security Event;
9. Paying salaries and benefits for personnel to serve as qualified Intelligence Analysts. Per the *Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act (PRICE Act)*, Pub. L. No. 110-412, § 2, codified in relevant part, as amended, at 6 U.S.C. § 609(a), SHSP and UASI funds may be used to hire new staff and/or contractor positions to serve as intelligence analysts to enable information/intelligence sharing capabilities, as well as support existing intelligence analysts previously covered by SHSP or UASI funding. *See* 6 U.S.C. § 609(a). To be hired as an intelligence analyst, staff and/or contractor personnel must meet at least one of the following criteria:
   - Complete training to ensure baseline proficiency in intelligence analysis and production within six months of being hired; and/or,
   - Previously served as an intelligence analyst for a minimum of two years either in a federal intelligence agency, the military, or state and/or local law enforcement intelligence unit.
10. All fusion center analytical personnel must demonstrate qualifications that meet or exceed competencies identified in the Common Competencies for state, local, and tribal intelligence analysts, which outlines the minimum categories of training needed for intelligence analysts. A certificate of completion of such training must be on file with the SAA and must be made available to the recipient's respective FEMA HQ Preparedness Officer upon request; and
11. Migrating online services to the ".gov" internet domain.

All SAAs are allowed to use up to 50% of their SHSP funding, and all high-risk urban areas are allowed to use up to 50% of their UASI funding, for personnel costs per 6 U.S.C. § 609(b)(2)(A). Personnel hiring, overtime, and backfill expenses are permitted under this grant only to the extent that such expenses are for the allowable activities within the scope of the grant. Personnel expenses may include, but are not limited to training and exercise coordinators, program managers and planners, intelligence analysts, and SWICs.

At the request of a recipient, the FEMA Administrator (or their designee) may grant a waiver of this 50% limitation under 6 U.S.C. § 609(b)(2)(B). Requests for waivers to the personnel cap must be submitted by the authorized representative of the SAA to FEMA in writing on official letterhead, with the following information:

1. Documentation explaining why the cap should be waived;
2. Conditions under which the request is being submitted; and
3. A budget and method of calculation of personnel costs both in percentages of the grant award and in total dollar amount.

Please see IB 421b, Clarification on the Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008 (Public L. No. 110–412 – the PRICE Act), dated October 30, 2019, for additional information on the waiver request process.

c. *Equipment*

Equipment costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

The 21 allowable prevention, protection, mitigation, and response equipment categories for HSGP are listed on the Authorized Equipment List (AEL). Some equipment items require prior approval from FEMA before obligation or purchase of the items. Please reference the grant notes for each equipment item to ensure prior approval is not required or to ensure prior approval is obtained if necessary. Recipients and subrecipients may purchase equipment not listed on the AEL, but **only** if they first seek and obtain **prior approval** from FEMA.

Unless otherwise stated, all equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, recipients will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment. Investments in emergency communications systems and equipment must meet applicable SAFECOM Guidance on Emergency Communications Grants (SAFECOM Guidance) recommendations. Such investments must be coordinated with the SWIC and the State Interoperability Governing Body to ensure interoperability and long-term compatibility. For personal protective equipment (PPE), recipients are encouraged to give procurement preference to domestic manufacturers of PPE or PPE raw materials to the maximum practicable and allowed by law.

Grant funds may be used for the procurement of medical countermeasures. Procurement of medical countermeasures must be conducted in collaboration with state, city, or local health departments that administer federal funds from the Department of Health and Human Services for this purpose and with existing Metropolitan Medical Response System committees where available, to sustain their long-term planning for appropriate, rapid, and local medical countermeasures, including antibiotics and antidotes for nerve agents, cyanide, and other toxins. Procurement must have a sound threat-based justification with an aim to reduce the consequences of mass casualty incidents during the first crucial hours of a response. Prior to procuring pharmaceuticals, recipients must have in place an inventory management plan to avoid large periodic variations in supplies due to coinciding purchase and expiration dates. Recipients are encouraged to enter into rotational procurement agreements with vendors and distributors. Purchases of pharmaceuticals must include a budget for the disposal of expired drugs within each fiscal year's Period of Performance (POP) for HSGP. The cost of disposal cannot be carried over to another FEMA grant or grant period.

EMS electronic patient care data systems should comply with the most current data standard of the National Emergency Medical Services Information System.

Recipients are reminded that school hardening is an eligible activity under SHSP and UASI. School hardening measures include but are not limited to:

1. Bullet resistant doors and glass;
2. Hinge-locking mechanisms;
3. Immediate notification to emergency 911 systems;
4. Mechanisms that provide real time actionable intelligence directly to law enforcement and first responders;
5. Installation of distraction devices or other countermeasures administered by law enforcement; and
6. Other measures determined to provide significant improvements to schools' physical security.

Additionally, SHSP and UASI funds may be used for equipment purchases related to state court cybersecurity, 911 call capabilities, alert and warning capabilities, and implementation of the REAL ID Act (Pub. L. No. 109-13).

sUAS and critical emergency supply costs are allowable under this program. See the Preparedness Grants Manual for more information.

1. General Purpose Equipment

HSGP allows expenditures on general purpose equipment if it aligns to and supports one or more core capabilities identified in the Goal and has a nexus to terrorism preparedness. General purpose equipment, like all equipment funded under the HSGP, must be sharable through the EMAC[4] and allowable under 6 U.S.C. § 609, and any other applicable provision of the *Homeland Security Act of 2002*, as amended. Examples of such general-purpose equipment may include:

- Law enforcement/general use vehicles (OPSG only);
- Emergency medical services equipment and vehicles;
- Fire service equipment and vehicles, to include hose, pump accessories, and foam concentrate for specialized chemical/biological/radiological/nuclear/explosive (CBRNE) response;
- Interoperability of data systems, such as CAD and RMS; and
- Office equipment for staff[5] engaged in homeland security program activity.

2. Controlled Equipment

For decades, the federal government has provided equipment to state, local, and tribal LEAs through federal grants. Some federal grant programs have assisted LEAs as they carry out their critical missions to keep the American people safe. The equipment acquired by LEAs through these programs includes administrative equipment, such as office furniture and computers. Some federal grant programs also may include military and military-styled equipment, firearms, and tactical vehicles provided by the federal government, including property covered under 22 C.F.R.

[4] Except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time.
[5] This applies to all homeland security personnel and is not limited to M&A staff, and costs are to be captured outside the cap on M&A costs.

Part 121 and 15 C.F.R. Part 774 (collectively, "controlled equipment").

However, not all equipment that is considered controlled equipment is allowable under the HSGP. Grant funds under this program may not be used for the purchase of equipment not approved by DHS/FEMA. For example, the purchase of tracked armored vehicles, camouflage uniforms, weapons, and weapons accessories, including ammunition, is generally not allowed with HSGP funds.

DHS/FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on certain equipment expenditures while continuing to support these investments when there is a justifiable need. Further, DHS/FEMA will continue to maintain an awareness of the evolving policy developments related to certain equipment expenditures and keep grant recipients up to date on future developments.

Additional information on controlled equipment is pending publication. Please visit FEMA's website for current and upcoming guidance.

3. Construction and Renovation

Construction and renovation costs to achieve capability targets related to preventing, preparing for, protecting against, or responding to acts of terrorism are allowed under this program. For construction and renovation costs to be allowed, they must be specifically approved by DHS/FEMA in writing prior to the use of any program funds. Limits on the total amount of grant funding that may be used for construction or renovation may apply. Additionally, recipients are required to submit SF-424C and SF-424D.

All proposed construction and renovation activities must undergo an EHP review, including approval of the review from FEMA, prior to undertaking any action related to the project. Failure of a grant recipient to meet these requirements may jeopardize Federal funding. Please see the Preparedness Grants Manual for more information.

d. *Training and Exercises*

Training and exercise costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual. Recipients are encouraged to consider tuition-free courses offered by FEMA first, before investing in training. For more information and a catalog of courses please refer to the National Preparedness Course Catalog at the National Training and Education Division (NTED).

Allowable training-related costs under HSGP include the establishment, support, conduct, and attendance of training specifically identified under the SHSP and UASI program and/or in conjunction with emergency preparedness training by other federal agencies (e.g., HHS and Department of Transportation [DOT]). Training conducted using HSGP funds should address a performance gap identified through an Integrated Preparedness Plan (IPP) or other assessments (e.g., National Emergency Communications Plan Goal Assessments) and contribute to building a capability that will be evaluated through a formal exercise. When developing new courses, recipients are encouraged to apply the Analysis, Design, Development, Implementation, and

Evaluation model of instructional design.

4. Law Enforcement Readiness

SHSP or UASI grant funds may be requested and may be approved on a case-by-case basis for immigration enforcement training in support of the border security mission. Requests for training will be evaluated on a case-by-case basis and can only be used for certification in the section 287(g) program provided by DHS/ICE. SHSP or UASI subrecipients with agreements under section 287(g) of the *Immigration and Nationality Act* (INA) (8 U.S.C. § 1357(g)) to receive delegated authority for immigration enforcement within their jurisdictions may also be reimbursed for section 287(g) related operational activities with approval from FEMA on a case-by-case basis.

e. *Maintenance and Sustainment*
Maintenance and sustainment related costs are allowed under this program only as described in the Preparedness Grants Manual.

f. *Travel*
Domestic travel costs are allowed under this program, as provided for in this NOFO. International travel is not an allowable cost under this program unless approved in advance by DHS/FEMA. See the Allowable Cost Matrix above for more information on allowable travel activities under SHSP and UASI.

g. *Personnel*
Personnel hiring, overtime, and backfill expenses are permitted under this grant to perform allowable HSGP planning, organization, training, exercise, and equipment activities. All recipients and subrecipients of HSGP funds, including SHSP and UASI allocations, may not use more than 50% of their awards to pay for personnel activities unless a waiver is approved by FEMA. For more information on the 50% personnel cap, please see FEMA IB 421b, Clarification on the *Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008* (Public Law 110-412) – the PRICE Act.

HSGP funds may not be used to support the hiring of any personnel to fulfill traditional public health and safety duties nor to supplant traditional public health and safety positions and responsibilities. The following definitions apply to personnel costs:

- **Hiring**. State and local entities may use grant funding to cover the salary of newly hired personnel who are exclusively undertaking allowable FEMA grant activities as specified in this guidance. This may not include new personnel who are hired to fulfill any non-FEMA HSGP program activities under any circumstances. Hiring will always result in a net increase of Full Time Equivalent (FTE) employees.
- **Overtime**. These expenses are limited to the additional costs that result from personnel working over and above 40 hours of weekly work time as the direct result of their performance of FEMA-approved activities specified in this guidance. Overtime associated with any other activity is not eligible.
- **Backfill-Related Overtime**. Also called "Overtime as Backfill," these expenses are limited to overtime costs that result from personnel who are working overtime (as

identified above) to perform the duties of other personnel who are temporarily assigned to FEMA-approved activities outside their core responsibilities. Neither overtime nor backfill expenses are the result of an increase of FTE employees.

- **Supplanting**. Grant funds will be used to supplement existing funds and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or recipients may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

1. Operational Overtime Costs

In support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism and other catastrophic events, operational overtime costs are allowable for increased protective security measures at critical infrastructure sites or other high-risk locations and to enhance public safety during mass gatherings and high-profile events. In that regard, HSGP recipients are urged to consider using grant funding to support soft target preparedness activities. SHSP or UASI funds may be used to support select operational expenses associated with increased security measures in the authorized categories cited in the table below, but this table is not exhaustive. FEMA retains the discretion to approve other types of requests that do not fit within one of the categories of the table.

Authorized Operational Overtime Categories

	Category	Description
1	**National Terrorism Advisory System (NTAS)**	Security measures in response to an increase in the threat level under the NTAS to an "elevated" or "imminent" alert status. FEMA Information Bulletin No. 367, Impact of National Terrorism Advisory System on Homeland Security Grant Programs, remains applicable; therefore, advance authorization from FEMA is not required. Refer to National Terrorism Advisory System | Homeland Security (dhs.gov) for additional information on the NTAS.
2	**National Security Special Event (NSSE)**	Security measures for a designated NSSE. NSSEs are events of national or international significance deemed by DHS to be a potential target for terrorism or other criminal activity.
3	**Special Event Assessment Rating (SEAR) Level 1 through Level 4 Events**	Security measures required for SEAR Level 1 through Level 4 events as designated by DHS and included in the DHS National Special Events List, as defined below: • SEAR 1: A significant event with national and/or international importance that may require extensive federal interagency support. • SEAR 2: A significant event with national and/or international importance that may require some level of federal interagency support.

	Category	Description
		• SEAR 3: An event of national and/or international importance that requires only limited federal support. • SEAR 4: An event with limited national importance that is managed at state and local level. NOTE: In cases where a threat of terrorism can be associated with a SEAR Level 5 event, the event planners should coordinate with their state or territory Homeland Security Advisor to seek re-adjudication of the SEAR rating. Operational overtime for security measures associated with such events will be considered for approval by FEMA if re-adjudication results in a SEAR 1 through 4 rating.
4	**States of Emergency**	Declarations of states of emergency by the Governor associated with a terrorism-related threat or incident. This excludes Presidentially declared major disasters or emergencies where federal funding support for the proposed grant-funded activity is made available through the FEMA Public Assistance program or other federal disaster grants.
5	**National Critical Infrastructure Prioritization Program (NCIPP)**	Protection of Level 1 and Level 2 facilities identified through DHS's NCIPP based on a terrorism-related threat to critical infrastructure.
6	**Directed Transit Patrols**	Targeted security patrols in airports and major transit hubs based on a terrorism-related threat to transportation systems.
7	**Other Related Personnel Overtime Costs**	Overtime costs may be authorized for personnel assigned to directly support any of the security activities relating to the categories above. Examples include firefighters and emergency medical services personnel; public works employees who may be responsible for installing protective barriers and fencing; public safety personnel assigned to assist with event access and crowd control; emergency communications specialists; backfill and overtime for staffing state or major urban area fusion centers; state Active Duty National Guard deployments to protect critical infrastructure sites, including all resources that are part of the standard National Guard deployment package (note: consumable costs, such as fuel expenses, are not allowed except as part of the standard National Guard deployment package); contract security services for critical infrastructure sites; participation in Regional Resiliency Assessment Program activities, increased border security activities in coordination with USBP, etc.
8	**Operational Support to a Federal Agency**	Overtime costs are allowable for personnel to participate in information, investigative, and intelligence sharing activities related to homeland security/terrorism preparedness and

	Category	Description
		specifically requested by a federal agency. Allowable costs are limited to overtime associated with federally requested participation in eligible activities, including anti-terrorism task forces, Joint Terrorism Task Forces (JTTFs), Area Maritime Security Committees (as required by the *Maritime Transportation Security Act of 2002*), DHS Border Enforcement Security Task Forces, and Integrated Border Enforcement Teams. In addition, reimbursement for operational overtime law enforcement activities related to combating transnational crime organizations in support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism is an allowable expense under SHSP and UASI on a case-by-case basis. Grant funding can only be used in proportion to the federal man-hour estimate and only after funding for these activities from other federal sources (i.e., FBI JTTF payments to state and local agencies) has been exhausted.
9	**Response to Catastrophic Incidents that are Acts of Terrorism**	Operational overtime is allowable for responding to acts of terrorism. This includes overtime accrued during the immediate response to events, such as mass casualty acts of targeted violence or other activities where the act (i) is dangerous to human life or potentially destructive of critical infrastructure or key resources; and (ii) is a violation of the criminal laws of the United States or of any State or other subdivision of the United States, and the act appears to be intended to coerce civilian populations, influence the policy of a government by intimidation or coercion, or affect the conduct of a government by mass destructions, assassination, or kidnapping.

All allowable operational overtime costs are also subject to the administration requirements outlined in the following subsection.

2. Administration of Operational Overtime Requests

- Except for an elevated NTAS alert, SHSP or UASI funds may only be spent for operational overtime costs upon prior written approval by FEMA. The SAA must submit operational overtime requests in writing to its assigned FEMA HQ Preparedness Officer. FEMA will consider requests for special event activities up to one year in advance. However such requests must be within the award's current POP and must not result in the need for a request to extend the period of performance. SAAs should contact FEMA Grants News 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, for clarification.
- All operational overtime requests must clearly explain how the request meets the criteria of one or more of the categories listed in the table above. Requests must address the threat environment as it relates to the event or activity requiring operational overtime

support and explain how the overtime activity is responsive to the threat. Request letters sent to FEMA must be UNCLASSIFIED but may be labeled "For Official Use Only." If explaining the threat will require the sharing of classified information, the letter should state that fact. FEMA will then plan for the sharing of classified information through official channels;

- Post-event operational overtime requests will only be considered on a case-by-case basis, where it is demonstrated that exigent circumstances prevented submission of a request in advance of the event or activity;
- Under no circumstances may FEMA grant funding be used to pay for costs already supported by funding from another federal source;
- States with UASI jurisdictions can use funds retained at the state level to reimburse eligible operational overtime expenses incurred by the state (per the above guidance limitations). Any UASI funds retained by the state must be used in direct support of the high-risk urban area. States must provide documentation to the UAWG and FEMA upon request demonstrating how any UASI funds retained by a state would directly support the high-risk urban area; and
- FEMA will consult and coordinate with appropriate DHS components as necessary to verify information used to support operational overtime requests.

h. ***Secure Identification***

Secure identification costs are allowed under this program. SHSP funds may be used to support the implementation activities associated with the Western Hemisphere Travel Initiative (WHTI), including the issuance of WHTI-compliant tribal identification cards.

i. ***Multiple Purpose or Dual-Use of Funds***

Please see the Preparedness Grants Manual for information on multiple purpose of dual-use of funds under SHSP and UASI.

C. OPSG Other Direct Costs

Recipients must comply with all the requirements in 2 C.F.R. Part 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*). In general, recipients should consult with their FEMA HQ Preparedness Officer prior to making any investment that does not clearly meet the allowable expense criteria. Funding guidelines established within this section support four of the five mission areas—Prevention, Protection, Mitigation, and Response—and associated core capabilities within the Goal. While Recovery is part of the Goal, it is not explicitly part of the HSGP. Allowable investments made in support of the national priorities, as well as other capability-enhancing projects must have a nexus to terrorism preparedness and fall into the categories of planning, organization, exercises, training, or equipment, aligned to building capability, closing capability gaps, and/or sustaining capabilities, as defined by CPG 201: THIRA/SPR Guide—3rd Edition (Comprehensive Preparedness Guide (CPG) 201, 3rd Edition (fema.gov)). Recipients are encouraged to use grant funds for evaluating grant-funded project effectiveness and return on investment. FEMA encourages recipients to provide the results of that analysis to FEMA.

a. ***Planning***

Planning costs are allowed under this program only as described in this funding notice. See the Allowable Cost Matrix above for more information on allowable planning activities for OPSG.

b. *Organization*

Organization costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual. See the Allowable Cost Matrix above for more information on allowable organizational activities for OPSG.

c. *Equipment*

Equipment costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

OPSG equipment is intended to be incidental to the enhanced border security operations being performed. The grant is not intended to be used to outfit or supply general equipment to SLTT law enforcement agencies. Equipment must be relatable to and justified by the operational benefit it will provide. Each appropriate OPSG sector coordinator is required to keep an inventory of OPSG purchased equipment that includes at a minimum: 1) grant funding year; 2) purchase amount; 3) purchase date; 4) purchase quantity; 5) equipment ID; 6) source of funding for the property, including the Federal Award Identification Number; 7) who holds title to the property; 8) federal share percent of the property; 9) location of the property; 10) use and condition of the property; 11) disposal date; and 12) brief disposal justification information and sale price if sold. Each Operations Order/FRAGO will require that each friendly force submit the equipment inventory for each Operations Order/FRAGO submission.

1. **Equipment Marking**. Because equipment purchased with OPSG funding is intended to be used to support OPSG activities, it **may** be appropriately marked to ensure its ready identification and primary use for that purpose. **When practicable**, any equipment purchased with OPSG funding **should** be prominently marked as follows: **"Purchased with DHS funds for Operation Stonegarden Use."**
2. **Fuel Cost and Mileage Reimbursement.** There is no cap for reimbursement of fuel or mileage costs in support of operational activities. Subrecipients and friendly forces may not claim reimbursements for both mileage and fuel/maintenance for the same equipment at the same time.
3. **Vehicle and Equipment Acquisition, Including Leasing and Rentals**. Allowable purchases under OPSG include patrol vehicles and other mission-specific equipment whose primary purpose is to increase operational capabilities on or near a border nexus in support of approved border security operations. A detailed justification must be submitted to the respective FEMA HQ Preparedness Officer prior to purchase.
4. **Medical Emergency Countermeasures.** Allowable purchases under OPSG include narcotic antagonist pharmaceuticals, detection and identification equipment, safe storage and transportation, personnel protective equipment, and initial equipment training, as reflected in the AEL.

1. Requirements for sUAS

sUAS are allowable under the HSGP. See the Preparedness Grants Manual for more information.

2. General Purpose Equipment

HSGP allows expenditures on general purpose equipment if it aligns to and supports one or more core capabilities identified in the Goal and has a nexus to terrorism preparedness. General purpose equipment, like all equipment funded under the HSGP, must be sharable through the EMAC[6] and allowable under 6 U.S.C. § 609, and any other applicable provision of the *Homeland Security Act of 2002*, as amended. Examples of such general-purpose equipment may include:

- Law enforcement/general use vehicles (OPSG only);
- Emergency medical services equipment and vehicles;
- Fire service equipment and vehicles, to include hose, pump accessories, and foam concentrate for specialized chemical/biological/radiological/nuclear/explosive (CBRNE) response;
- Interoperability of data systems, such as CAD and RMS; and
- Office equipment for staff[7] engaged in homeland security program activity.

3. Controlled Equipment

For decades, the federal government has provided equipment to state, local, and tribal LEAs through federal grants. Some federal grant programs have assisted LEAs as they carry out their critical missions to keep the American people safe. The equipment acquired by LEAs through these programs includes administrative equipment, such as office furniture and computers. Some federal grant programs also may include military and military-styled equipment, firearms, and tactical vehicles provided by the federal government, including property covered under 22 C.F.R. Part 121 and 15 C.F.R. Part 774 (collectively, "controlled equipment").

However, not all equipment that is considered controlled equipment is allowable under the HSGP. Grant funds under this program may not be used for the purchase of equipment not approved by DHS/FEMA. For example, the purchase of tracked armored vehicles, camouflage uniforms, weapons, and weapons accessories, including ammunition, is generally not allowed with HSGP funds.

DHS/FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on certain equipment expenditures while continuing to support these investments when there is a justifiable need. Further, DHS/FEMA will continue to maintain an awareness of the evolving policy developments related to certain equipment expenditures and keep grant recipients up to date on future developments.

Additional information on controlled equipment is pending publication. Please visit FEMA's website for current and upcoming guidance.

4. Construction and Renovation

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[6] Except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time.

[7] This applies to all homeland security personnel and is not limited to M&A staff, and costs are to be captured outside the cap on M&A costs.

OPSG funds may not be used for any construction.

d. *Training and Exercises*

Training and exercise costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual (e.g., related to EHP compliance). Recipients are encouraged to consider tuition-free courses offered by FEMA first, before investing in training. For more information and a catalog of courses please refer to the National Preparedness Course Catalog at NTED.

1. Law Enforcement Readiness

OPSG grant funds may be used to increase operational, material, and technological readiness of SLTT law enforcement agencies. The Delegation of Immigration Authority, Section 287(g) of the *Immigration and Nationality Act (INA)* program allows a state or local law enforcement entity to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), to receive delegated authority for immigration enforcement within their jurisdictions.

OPSG grant funds may be requested and may be approved on a case-by-case basis for immigration enforcement training in support of the border security mission. Requests for training will be evaluated on a case-by-case basis and can only be used for certification in the section 287(g) program provided by DHS/ICE. OPSG subrecipients with agreements under section 287(g) of the *INA* (8 U.S.C. § 1357(g)) to receive delegated authority for immigration enforcement within their jurisdictions may also be reimbursed for section 287(g) related operational activities with approval from FEMA on a case-by-case basis. For OPSG, subrecipients must be authorized by USBP Headquarters and Sectors, and operational activities must be coordinated through a USBP Sector.

e. *Maintenance and Sustainment*

Maintenance and sustainment related costs are allowed under this program only as described in the Preparedness Grants Manual.

f. *Travel*

Domestic travel costs are allowed under this program, as provided for in this NOFO and in the Preparedness Grants Manual. International travel is not an allowable cost under this program unless approved in advance by DHS/FEMA. See the Allowable Cost Matrix in Appendix B for more information on allowable travel activities under OPSG.

g. *Personnel*

Personnel hiring, overtime, and backfill expenses are permitted under this grant to perform allowable HSGP planning, organization, training, exercise, and equipment activities. Under OPSG, overtime costs are allowable only in so far as they meet the intent of the program. All recipients and subrecipients of HSGP funds, including OPSG allocations, may not use more than 50% of their awards to pay for personnel activities unless a waiver is approved by FEMA. For more information on the 50% personnel cap, please see FEMA IB 421b, *Clarification on the Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008 (Public Law 110-412 – the PRICE Act)*.

Further, changes in scope or objective also require FEMA's prior written approval pursuant to 2 C.F.R. § 200.308(c)(1). If the cost changes are allowable under the grant, a FRAGO must be submitted to Homeland Security Information Network (HSIN) to obtain FEMA's prior written approval of such changes in accordance with 2 C.F.R. § 200.308(c)(1). These modifications will be annotated in the annex section of the FRAGO.

OPSG funds may be used for domestic travel and *per diem*, including costs associated with the deployment/redeployment of personnel to border areas and for travel associated with law enforcement entities assisting other local jurisdictions in law enforcement activities. In addition, allowable costs include supporting up to six-month deployment of law enforcement personnel to critical Southwest Border locations for operational activities (travel costs must be in accordance with applicable travel regulations).

OPSG funds may be used to pay additional current part-time law enforcement personnel salaries to bring them to temporary full-time status. OPSG funds may support a Governor's request to activate, deploy, or redeploy specialized National Guard Units/Package and/or elements of state law enforcement serving as friendly forces to increase or augment specialized/technical law enforcement elements' operational activities. Costs associated with backfill for personnel supporting operational activities are allowable.

As with all OPSG personnel costs, OPSG grant funds will be used to supplement existing funds and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or recipients may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

1. Operational Overtime Costs

OPSG funds should be used for operational overtime costs associated with law enforcement activities in support of border law enforcement agencies for enhanced border security. Overtime pay is for increased patrol time for certified public safety officers, along with limited support for other law enforcement direct support personnel (e.g., Communication Officers/Dispatchers, non-sworn patrol pilots, etc.). Overtime shall be reimbursed consistent with the non-federal entity's overtime policy and the requirements as stated below:

- Overtime is time worked that exceeds the required number of hours during an employee's designated shift;
- Overtime must be worked to increase patrol capacity and be in support of identified and approved USBP border security operations;
- The OPSG overtime hourly rate of pay will be no more than the approved overtime rate per local law and policy and must be in accordance with applicable state and federal regulations;
- All overtime expenses under OPSG must be reasonable for the services rendered and conform to the non-federal entity's established written policy, which must apply to both federally funded and non-federally funded activities and comply with the other applicable requirements under 2 C.F.R. §§ 200.430-200.431; and

- The non-federal entity may not utilize OPSG funding to pay for an employee's overtime hours or pay that exceeds 16-hours worked in any 24-hour period.

2. Intelligence Support

Per 6 U.S.C. § 609(a), OPSG funds may, as applicable and operationally beneficial, be used to pay salaries and benefits or overtime for personnel to serve as qualified Intelligence Analysts to enable and enhance information/intelligence sharing capabilities, as well as support existing intelligence analysts previously covered by OPSG funding. Qualified OPSG-funded intelligence analysts can be assigned to an applicable law enforcement facility/intelligence function as long as information/intelligence sharing is maintained. To serve as an OPSG-funded intelligence analyst, personnel must meet at least one of the following criteria:

- Complete training to ensure baseline proficiency in intelligence analysis and production within six months of being hired; and/or,
- Previously served as an intelligence analyst for a minimum of two years either in a federal intelligence agency, the military, or state and/or local law enforcement intelligence unit.

OPSG-funded intelligence analysts must demonstrate qualifications that meet or exceed competencies identified in the Common Competencies for state, local, and tribal intelligence analysts, which outlines the minimum categories of training needed for intelligence analysts. A certificate of completion of such training must be on file with the SAA and must be made available to the recipient's respective FEMA HQ Preparedness Officer upon request.

h. ***Regional Border Projects***

Recipients are encouraged to prioritize the acquisition and development of regional projects on the borders to maximize interoperability and coordination capabilities among federal agencies and with state, local, and tribal law enforcement partners. Such regional projects include:

1. Communications equipment;
2. Radio systems and repeaters;
3. Integration with regional intelligence and information sharing effort (i.e., fusion centers):
   - Intelligence analysts.
4. Situational Awareness equipment:
   - License Plate Reader Networks;
   - Visual detection and surveillance systems;
   - Sensor Systems;
   - Radar Systems (for air and/or marine incursions); and
   - Aircraft systems (manned or unmanned).

i. ***Transportation Costs and Costs Related to the Provision of Acute Medical Care***

Vehicle, fuel, mileage, operational overtime, and other types of costs otherwise allowable under an OPSG award's HSGP NOFO are allowable where the costs are in support of the necessary transportation of individuals interdicted while carrying out allowable OPSG-funded activities or operations from the point of interdiction to an applicable law enforcement facility.

When transporting individuals interdicted in the course of carrying out allowable OPSG-funded

activities or operations from the point of interdiction, non-Federal entities may charge vehicle, fuel, mileage, operational overtime, and other types of costs otherwise allowable under an OPSG award's HSGP NOFO associated with necessary transportation to provide acute medical care for individuals being transported from the point of interdiction. In such cases, non-Federal entities may also charge operational overtime for personnel that monitor a detained individual receiving acute medical care where the individual remains in the custody of the non-Federal law enforcement agency. Costs incurred beyond the acute phase of medical care (e.g., upon admission to the hospital, or after transfer from an acute care facility to the hospital) and costs incurred once the custodial responsibility of the individual is transferred to CBP are not allowable under OPSG.

Costs described above are allowable regardless of what entity or agency initially makes the interdiction. Personnel costs incurred by non-Federal law enforcement agencies eligible under OPSG (including deputies, corrections officers, or detention officers) for costs described above are allowable.

j. *Temporary or Term Appointments*

Temporary or term appointments are allowable under an OPSG award, so long as they comply with the following:

1. Subrecipients may utilize temporary or term appointments to augment the law enforcement presence on the borders. However, applying funds toward hiring full-time or permanent sworn public safety officers is unallowable;
2. OPSG-funded temporary or term appointments may not exceed the approved period of performance:
   - For OPSG purposes, temporary appointments are non-status appointments for less than one year; and
   - For OPSG purposes, term appointments are non-status appointments for one year, extendable for one year as necessary.
3. OPSG funding for temporary or term appointments may pay for salary only. Benefits are not allowable expenses for term or temporary employees;
4. OPSG remains a non-hiring program. Appropriate uses of temporary or term appointments include:
   - To carry out specific enforcement operations work for ongoing OPSG-funded patrols throughout the Sector Area of Operation;
   - To staff operations of limited duration, such as OPSG-enhanced enforcement patrols targeting specific locations or criminal activity; and
   - To fill OPSG positions in activities undergoing transition or personnel shortages and local backfill policies (medical/military deployments).
5. OPSG term and temporary appointments must have all necessary certifications and training to enforce state and local laws. OPSG funds will not be used to train or certify term or temporary appointments except as otherwise stated in this NOFO and the Preparedness Grants Manual; and
6. FEMA provides no guarantee of funding for temporary or term appointments. In addition to the terms of this NOFO, subrecipients must follow their own applicable policies and procedures regarding temporary or term appointments.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 2

U.S. Dep't of Homeland Sec., *Notice of Funding Opportunity (NOFO): Fiscal Year 2025 Homeland Security Grant Program* (July 28, 2025 Version 1)

The Department of Homeland Security (DHS)

Notice of Funding Opportunity (NOFO)

Fiscal Year 2025 Homeland Security Grant Program

Fraud, waste, abuse, mismanagement, and other criminal or noncriminal misconduct related to this program may be reported 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.

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1. Basic Information

A. Agency Name	U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA)
B. NOFO Title	Fiscal Year 2025 Homeland Security Grant Program (HSGP) • State Homeland Security Grant Program (SHSP) • Operation Stonegarden (OPSG)
C. Announcement Type	Initial
D. Funding Opportunity Number	DHS-25-GPD-067-00-98
E. Assistance Listing Number	97.067
F. Expected Total Funding	$454,500,000 See Appendix A for the FY 2025 HSGP funding allocation tables.
G. Anticipated Number of Awards	56 awards
H. Expected Award Range	SHSP: $997,200 – $61,229,940 OPSG: $0 or $200,000 – $33,708,000
I. Projected Application Start Date	07/28/2025 08:00 a.m. Eastern Time (ET)
J. Projected Application End Date	08/11/2025 05:00 p.m. Eastern Time (ET)
K. Anticipated Funding Selection Date	No later than August 23, 2025
L. Anticipated Award Date	No later than September 30, 2025
M. Projected Period of Performance Start Date	09/01/2025
N. Projected Period of Performance End Date	08/31/2028
O. Executive Summary	HSGP strengthens the nation's capacity to prevent, prepare for, protect against, and respond to acts of terrorism and other catastrophic events through the following two components: • SHSP: Supports the implementation of risk-driven, capabilities-based State Homeland Security Strategies to address capability targets.

	• OPSG: Enhances cooperation and coordination among state, local, tribal, territorial, and federal law enforcement agencies to jointly enhance security along the United States land and water borders.
P. Agency Contact	**a. *Program Office Contact*** FEMA has assigned Preparedness Officers to each state for the HSGP. If you are unsure who your Preparedness Officer is, please contact FEMA Grants News by phone at (800) 368-6498 or by email at fema-grants-news@fema.dhs.gov, Monday through Friday, 9:00 AM – 5:00 PM ET. **b. *FEMA Grants News*** 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. FEMA Grants News Team is reachable at fema-grants-news@fema.dhs.gov. OR (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET. **c. *Grant Programs Directorate's (GPD) Award Administration Division*** GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. AAD can be contacted at ASK-GMD@fema.dhs.gov. **d. *FEMA Regional Offices*** FEMA Regional Offices also may provide fiscal support, including pre- and post-award administration and technical assistance. FEMA Regional Office contact information is available at https://www.fema.gov/fema-regional-contacts. **e. *Civil Rights*** Consistent with Executive Order 14173, *Ending Illegal Discrimination & Restoring Merit-Based Opportunity*, the FEMA Office of Civil Rights is responsible for ensuring compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA. They are reachable at FEMA-CivilRightsOffice@fema.dhs.gov. **f. *Environmental Planning and Historic Preservation*** The FEMA Office of Environmental Planning and Historic Preservation (OEHP) provides guidance and information about the EHP review process to FEMA programs and recipients and subrecipients. Send any inquiries regarding compliance for FEMA grant projects under this NOFO to FEMA-OEHP-NOFOQuestions@fema.dhs.gov.

	g. *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. *FEMA Preparedness Toolkit*** The FEMA Preparedness Toolkit (PrepToolkit) provides access to tools and resources needed to implement the National Preparedness System and provide a collaborative space for communities completing the Unified Reporting Tool (URT). Recipients complete and submit their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR), and other required assessments using the PrepToolkit. For assistance, contact support@preptoolkit.fema.dhs.gov. **i. *Preparedness Grants Manual*** Recipients seeking guidance on policies and procedures for managing preparedness grants should reference the Preparedness Grants Manual at Preparedness Grants Manual.

2. Eligibility

A. Eligible Entities/Entity Types	Only the following entities or entity types are eligible to apply. **a. *Applicants*** 1. Eligible Applicants The State Administrative Agency (SAA) is the only entity eligible to submit HSGP applications to DHS/FEMA. HSGP funds are provided to SAAs, which manage and distribute the funds within their respective states or territories. SAAs issue subawards to local governments and other eligible organizations, ensuring that resources reach areas that need them to enhance security and disaster response. For this funding opportunity, the term "state" includes all U.S. states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Tribal governments are not eligible to apply directly for HSGP funding but may receive funding through their state's SAA. **b**. ***Subapplicant*** SAAs distribute HSGP funds through subawards to other state, local, or tribal organizations. These organizations, called subrecipients, use the funds to improve local and regional security efforts. Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be

properly vetted and must adhere to all government statutes, policies, and procedures including "staff American, stay in America" and security requirements.

1. Subrecipient Eligibility

Under HSGP, FEMA provides funds to each state's SAA. The SAA distributes these funds to other state or local organizations, such as city agencies or county departments. These distributed funds are called subawards, and the organizations receiving them are referred to as subrecipients.

- SHSP: All U.S. states and territories listed above are eligible. Tribal governments must work through their state's SAA.
- OPSG: Eligible subrecipients include county-level or equivalent governments and federally recognized tribal governments in states bordering Canada or Mexico, or those with international water borders. Applicants must have active U.S. Border Patrol operations coordinated with a U.S. Customs and Border Protection sector office to qualify. OPSG subrecipients are divided into three tiers based on their location:
    - Tier 1 includes counties or tribal governments directly on the land borders with Canada and Mexico, or those located directly on physical borders with Canada, Mexico, or along international water borders.
    - Tier 2 includes counties or tribal governments next to Tier 1 locations.
    - Tier 3 includes counties or tribal governments next to Tier 2 locations.

    The tier structure is only applicable with regard to eligibility. OPSG funding allocations are based on the assessed border security risks as determined by the U.S. Border Patrol.

c. All Recipients - Compliance with Federal Immigration Laws

An immigration term and condition may be material to the Department of Homeland Security's decision to make this grant award, and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or any local government subrecipient fails to comply with this term and condition. No final agency determination has been made as of the date of this publication

1. Reducing Subapplicant Burden

	For FY 2025, each SAA is strongly encouraged to re-evaluate its process for collecting and evaluating subaward applications. FEMA encourages each SAA to minimize the type and quantity of information that it collects as part of the subaward application process, in order to decrease the overall financial and time burden associated with applying for subawards under this grant program. Each SAA should review its subaward application and reduce or eliminate the request for any information that is not needed for legal, financial, or oversight purposes. For more details on eligibility requirements or restrictions to subawards/subrecipients, please see the Preparedness Grants Manual.
B. Project Type Eligibility	**a. *Unallowable Project Types*** See Section 3.F "Program-Specific Unallowable Costs" and 7.A.b "Ineligible Projects" for more information on unallowable project types. **b. *Allowable Project Types*** Allowable costs for SHSP and OPSG generally fall into five main categories: planning, organization, equipment, training, and exercises (POETE). All projects funded under SHSP must demonstrate a clear connection to building capabilities that prevent, prepare for, protect against, or respond to acts of terrorism. Please see Appendix 12.B: Allowable Costs for more information on allowable costs. If there are questions about specific experiences, contact your FEMA Preparedness Officer.
C. Requirements for Personnel, Partners, and Other Parties	An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not: 1. ***A current employee, official, or leader*** of the recipient organization; and 2. ***Authorized to apply*** for the award on behalf of the entity at the time of submission. Additionally, the **Authorized Organization Representative (AOR)** must: 1. Be a current authorized employee, official, or leader of the recipient organization. 2. Use a unique email address associated with the recipient organization at the time of application and upon any change in assignment during the period of performance.

	Consultants or contractors are not permitted to serve as the AOR of the recipient organization. For more information on the roles and responsibilities of the AOR, refer to FEMA's guidance on Roles and Permissions. Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statutes, policies, and procedures including "staff American, stay in America" and security requirements. Subapplicants/subrecipients must submit short bios and resumes. This should include the type of entity, organizational leadership, and board members along with both the names and addresses of the individuals. Resumes are subject to approval.
D. Maximum Number of Applications	The maximum number of applications that can be submitted is: 1. One per SAA
E. Additional Restrictions	Applicants/subapplicants or recipients/subrecipients are required to certify their compliance with federal statutes, DHS directives, policies, and procedures. Under HSGP, there are specific funding guidelines / requirements for allocating funds: **a.** ***Pass-Through Requirements*** Awards made to the SAA for HSGP carry additional statutorily mandated pass-through requirements. Pass-through is defined as an obligation on the part of the SAA to make funds available to local units of government, combinations of local units, tribal governments, or other specific groups or organizations as defined at 6 U.S.C. § 101(13). **b.** ***National Priority Areas (NPAs) Minimum Spend Requirements*** Requires that SHSP recipients allocate at least 30% of their funds between the five NPAs. The five NPAs, along with the relevant minimum spend percentage, are: • Enhancing the Protection of Soft Targets/Crowded Places: No minimum spend. • Supporting Homeland Security Task Forces and Fusion Centers: No minimum spend. • Enhancing Cybersecurity: No minimum spend. • Enhancing Election Security: At least 3% of the total allocation must be dedicated to this area. • Supporting Border Crisis Response and Enforcement: At least 10% of the total allocation must be dedicated to this area.

	c. ***Law Enforcement Terrorism Prevention Activities (LETPA)*** 1. **Legal Requirement**: Per section 2006 of the *Homeland Security Act* of 2002 (codified as amended at 6 U.S.C. § 607(a)) DHS/FEMA is required to ensure that at least 25% of grant funding under HSGP is used for LETPA. 2. **FY 2025 Update:** DHS/FEMA has maintained this requirement at the FY 2024 level, mandating at least 35% HSGP funds are used for LETPA. 3. **Recipient Obligations:** • The requirement can be fulfilled by funding projects across any of the five NPAs or other investments that meet the LETPA criteria. **Additional Guidance:** Information Bulletin (IB) 485 includes the most up-to-date information on project selection considerations and allowable activities for LETPA investments and compliments IB 473. Both IBs are applicable to the FY 2025 HSGP NOFO. For comprehensive LETPA requirements, refer to the Law Enforcement Terrorism Prevention Activities Resource Guide. For more information on funding restrictions, refer to General Funding Requirements.
F. References for Eligibility Factors within the NOFO	Please see the following references provided below: 1. "Responsiveness Review Criteria" subsection 2. "Financial Integrity Criteria" subsection 3. "Supplemental Financial Integrity Criteria and Review" subsection 4. FEMA may/will request financial information such as Employer Identification Number (EIN) and bank information as part of the potential award selection. This will apply to everyone proposed, including subrecipients.
G. Cost Sharing Requirement	There is no cost share requirement.
H. Cost Share Description, Type and Restrictions	Not applicable.
I. Cost Sharing Calculation Example	Not applicable.
J. Required information for verifying Cost Share	Not applicable.

3. Program Description

A. Background, Program Purpose, and Program History

Background

HSGP includes two key grant programs designed to enhance the capabilities of state, local, tribal, and territorial governments, as well as nonprofits, in preventing, protecting against, and responding to terrorist attacks. These programs are part of a comprehensive set of measures authorized by Congress and implemented by the Department of Homeland Security (DHS) to strengthen the nation's communities against potential terrorist threats.

In FY 2025, HSGP continues to include two key grant programs:

- SHSP: Supports the implementation of risk-driven, capabilities-based State Homeland Security Strategies to address capability targets.
- OPSG: Enhances cooperation and coordination among state, local, tribal, territorial, and federal law enforcement agencies to jointly enhance security along the United States land and water borders.

These programs collectively aim to strengthen the nation's ability to prevent, prepare for, protect against, and respond to acts of terrorism and other threats.

Program Purpose and History

Since its inception in 2003, HSGP has significantly enhanced the nation's preparedness. HSGP addresses evolving threats such as cybersecurity vulnerabilities and the protection of soft targets and crowded places. It represents a comprehensive approach to national security, fostering collaboration across all levels of government and within communities to build a safer, more resilient nation. Through planning, training, equipment procurement, and exercises, the program ensures jurisdictions are prepared for a wide range of risks.

In recent years:

- Funding priorities have evolved to include cybersecurity, election security, and countering emerging national security threats.
- Key accomplishments include the development of interoperable communication systems, emergency response training, and investment in physical and cybersecurity measures.
- The program emphasizes strategic investments to address identified capability gaps, requiring alignment with Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR).

This support equips various jurisdictions with the necessary tools and resources to effectively manage and mitigate a wide range of threats and hazards, aligning with FEMA's goal of building a secure and resilient nation.

B. Goals and Objectives

As HSGP is comprised of two different grant programs, this section is divided into SHSP and OPSG, each with its own focus and goals. SHSP aims to strengthen the ability of states to prevent, prepare for, protect against, and respond to acts of terrorism and other hazards. OPSG, on the other hand, remains unique to border security, and focuses on improving cooperation between local, tribal, state, and federal law enforcement to secure America's international borders. These programs work together to build a secure and resilient nation, giving communities the tools and resources they need to handle various threats and emergencies effectively.

a. *SHSP Goal*
The goal of SHSP is to **support statewide and state, local, tribal, and territorial (SLTT) governments** in building, enhancing, and sustaining the capabilities needed to prevent, prepare for, protect against, and respond to acts of terrorism. SHSP funding is intended to help SLTT agencies address capability gaps identified through the THIRA/SPR process, as well as prioritize resources toward high-impact security focus areas, known as NPAs.

SHSP aims to build a cohesive and collaborative approach to homeland security by promoting national preparedness and resilience.

b. *SHSP Objectives*
SHSP provides resources that support eligible SLTT governments in meeting the following objectives:

- Build and sustain core capabilities, including LETPA and the NPAs (see priorities below);
- Address capability gaps identified in their THIRA and SPR process; and
- Implement a comprehensive and coordinated approach to address enduring security needs of communities that includes planning, training and awareness campaigns, equipment and capital projects, and exercises.

c. *SHSP Funding Priorities and Requirements*
HSGP establishes specific funding requirements to ensure resources are allocated effectively and address critical national priorities.

1. Law Enforcement Terrorism Prevention Activities (LETPA)

- Description: LETPA are initiatives funded through HSGP aimed at enhancing law enforcement's ability to prevent terrorist attacks. These activities focus on building and sustaining capabilities in areas such as intelligence analysis, information sharing, threat recognition, and terrorist interdiction.
- Allocation Requirement: At least 35% of total HSGP funds must be allocated to LETPA-related activities.
- Project Alignment: LETPA funds can be applied to projects across the five NPAs or other investments that meet LETPA criteria.
- Additional Guidance: For detailed guidance on allowable LETPA expenditures and requirements, refer to FEMA's Preparedness Grants Manual and Information Bulletin 485 and Information Bulletin 497.

2. National Priority Areas (NPAs)

- Description: FY 2025 HSGP aligns with the Administration's priorities by directing resources toward the most urgent threats facing the Nation. Through the State Homeland Security Program (SHSP), HSGP supports the development and sustainment of core capabilities essential to achieving the National Preparedness Goal (NPG): "A secure and resilient Nation."

  To ensure strategic focus, DHS has identified five NPAs that reflect the evolving risk landscape and national policy objectives. These priorities serve as a framework for targeting investments that build capability, reduce risk, and promote cross-sector coordination.

  The FY 2025 NPAs are:

  1. Enhancing the protection of soft targets and crowded places,
     - This includes faith-based organizations and election sites;
  2. Supporting Homeland Security Task Forces and fusion centers;
  3. Enhancing and integrating cybersecurity resiliency;
  4. Enhancing election security; and
  5. Border Crisis Response and Enforcement Support.
     - Example activities under border crisis response and enforcement support may include:
       1. Participation in the Department of Homeland Security/Immigration and Customs Enforcement 287(g) training program;
       2. Cooperation with Immigration and Customs Enforcement detainers; and
       3. Other jurisdictional responsibilities to support the enforcement of United States immigration law.

  These NPAs are rooted in the core mission areas of the NPG—prevention, protection, mitigation, and response—, and reflect a whole-of-government approach to homeland security. Applicants should use these priorities to guide planning, investment, and implementation to drive measurable outcomes and long-term resilience.

- Allocation Requirement:
  Recipients must allocate at least 30% of their SHSP funds to the five NPAs. Funds can be applied to projects across the five NPAs and can be used to meet LETPA criteria. By meticulously outlining how each investment and project meets LETPA and NPA requirements within the Investment Justifications (IJ), applicants can enhance the effectiveness and compliance of their funding proposals.

- Minimum Spend:
  - Enhancing Election Security requires at least 3% of total SHSP funds.
  - Supporting Border Crisis Response and Enforcement requires at least 10% of total SHSP funds.

- The remaining 17% can be allocated across the other NPAs.

Failure to meet NPA spending requirements will result in a hold on affected funds until compliance issues are resolved.

Priority Areas	Description	Minimum Allocation Requirement
Enhancing the Protection of Soft Targets/Crowded Places	Improving security at locations accessible to the public and vulnerable to attacks.	No minimum allocation
Supporting Homeland Security Task Forces and Fusion Centers	Promoting coordination of activities and critical information sharing and analysis to prevent and respond to threats.	No minimum allocation
Enhancing Cybersecurity	Strengthening the protection of computer systems and networks against cyber threats.	No minimum allocation
Enhancing Election Security	Ensuring the integrity and security of voting systems.	At least 3% of the total SHSP allocation must be dedicated to this area
Supporting Border Crisis Response and Enforcement	Supporting collaboration between state and local law enforcement and U.S. Immigration and Customs Enforcement (ICE) through the 287(g) program to identify and remove individuals who pose a threat to public safety and national security.	At least 10% of the total SHSP allocation must be dedicated to this area

States are encouraged to review the Strategic Framework for Countering Terrorism and Targeted Violence when developing investments.

- **NPA Investments: SHSP**
  - **Soft Targets/Crowded Places (no minimum percent)**
    Soft targets and crowded places, like parks, shopping centers, transportation hubs, and event venues, are increasingly appealing to terrorists because of their accessibility and the large gatherings. These areas often lack strict security measures, making them vulnerable. To address this, public and private sectors must collaborate to strengthen the security of locations such as transportation centers, restaurants, polling places, and similar facilities. Personnel responding to incidents at these sites should also be trained in key operational systems, such as the Incident Command System (ICS), to ensure effective on-scene incident management.

    In addition, the malicious use of unmanned aircraft systems (i.e., drones) poses safety and security risks to soft targets and crowded places. Detecting drones is an allowable use of funds under the HSGP in accordance with Executive Order 14305, *Restoring American Airspace Sovereignty*, which allows the purchase of unmanned aircraft systems (UAS) or equipment or services for the detection, tracking, or identification

of drones and drone signals, and FEMA Information Bulletin 530. Before purchasing and deploying these systems, as outlined EO 14305, recipients must:

- **Consult FEMA and Legal Experts:** Work with FEMA's Preparedness Officer and legal experts to ensure your policies and procedures comply with federal and state laws regarding surveillance and communication.
- **Develop Standard Operating Procedures (SOPs):** Establish clear guidelines to ensure operations are conducted in a manner consistent with First and Fourth Amendment protections, and other applicable provisions of federal law.
- **Provide Training and Certification:** Ensure personnel operating UAS systems are properly trained and certified, in accordance with FEMA and Federal Aviation Administration standards.

Applicants are encouraged to submit an investment related to protecting soft targets/crowded places. The proposed investment will be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments. States are encouraged to engage DHS' Protective Security Advisors for security assessments of soft targets to ensure that recommendations from those assessments are taken into consideration when allocating grant funding.

Additional Resources
Further guidance and resources for securing soft targets and crowded places can be found through the Cybersecurity and Infrastructure Security Agency (CISA) and the National Institute of Standards and Technology). For comprehensive compliance and operational details, refer to FEMA's Preparedness Grants Manual and related program documents.

- **Supporting Homeland Security Task Forces and Fusion Centers (no minimum percent)**
  This priority supports the Administration's direction under Executive Order 14159, *Protecting the American People Against Invasion*, which calls for the establishment of Homeland Security Task Forces (HSTFs) nationwide. These multi-agency teams—composed of federal and local law enforcement partners—are tasked with disrupting and dismantling transnational criminal organizations, targeting cross-border human smuggling and trafficking networks (especially those involving children), and using all appropriate law enforcement tools to support lawful immigration enforcement.

  Activities under this NPA also enhance broader national efforts in:

  - Counterterrorism
  - Cybersecurity
  - Border security
  - Immigration enforcement
  - Transnational organized crime
  - Protection of economic and critical infrastructure

  Allowable Costs:

Applicants may use grant funds for:

- Establishing or enhancing multi-agency HSTFS, including operational coordination centers
- Enhancing capabilities and integration with local fusion centers
- Procurement of technology or equipment to support surveillance, communications, and data analysis
- Development of standard operating procedures for information sharing, joint operations, and immigration enforcement coordination
- Personnel training, credentialing, and certification to improve interoperability and mission alignment
- Intelligence analysis, reporting, and suspicious activity monitoring
- Exercises and simulations focused on joint operations, intelligence sharing, or interdiction/disruption of criminal or smuggling networks
- Community engagement efforts to foster trust and encourage threat reporting

Fusion Center Requirements: While there is no minimum spending requirement for this NPA, applicants must include at least one dedicated fusion center project under this priority. Applicants must clearly justify how their project will enhance information sharing, collaboration, and a culture of national preparedness. DHS/FEMA will evaluate these investments based on their effectiveness and alignment with program objectives. Please see the Preparedness Grants Manual for more information on fusion center performance measures.

Additional resources and information regarding collaboration and information sharing are also available through the Department's Office of Intelligence and Analysis.

- **Cybersecurity (no minimum percent)**
  In today's interconnected world, increased connectivity brings greater risks, including the potential for adversaries and terrorists to exploit cyber vulnerabilities and disrupt critical systems. While not mandatory, applicants are encouraged to submit proposals for ongoing or high-priority cybersecurity projects. DHS/FEMA will evaluate these investments based on their effectiveness.

  Cybersecurity investments should enhance the security and functioning of critical infrastructure and core capabilities related to preventing, preparing for, protecting against, or responding to acts of terrorism.

  Additional resources and information regarding cybersecurity and cybersecurity performance goals are available through the Cybersecurity and Infrastructure Security Agency, Cross-Sector Cybersecurity Performance Goals | CISA, and the National Institute of Standards and Technology.

- **Election Security (3% minimum allocation)**
  In January 2017, DHS designated the infrastructure used to administer the Nation's elections as critical infrastructure. This designation recognizes that the United States'

election infrastructure is of such vital importance to the American way of life that its incapacitation or destruction would have a devastating effect on the country. Additionally, the Homeland Threat Assessment 2024 indicates that electoral processes remain an attractive target for many adversaries.

Securing election infrastructure, ensuring its continued operation in the face of threats and harassment, advancing the safety of election officials, and protecting against foreign interference are national security priorities. Because threats to election systems are constantly evolving, defending these systems requires constant vigilance, innovation, and adaptation. By integrating the directives of Executive Order 14248, *Preserving and Protection the Integrity of American Elections*, into the Election Security NPA, HSGP recipients can ensure that their efforts contribute to a secure, transparent, and resilient electoral process, thereby reinforcing public trust and the integrity of democratic institutions.

To address these priorities, each state must make at least one (1) investment that supports physical and/or cyber election security. Proposed investments must meet or exceed the FY 2025 national priority percentage for election security (minimum 3%) and will be evaluated by DHS/FEMA for effectiveness and alignment with program goals.

To further strengthen election integrity, jurisdictions must:

- Prioritize compliance with the Voluntary Voting System Guidelines (VVSG) 2.0 established by the U.S. Election Assistance Commission;
- Complete testing through a Voting System Test Laboratory (VSTL) accredited by the Commission;[1]
- Utilize the U.S. Citizenship and Immigration Services' Systematic Alien Verification Entitlements (SAVE) system to verify that anyone working at a polling place in any capacity is a U.S. citizen.
- Demonstrate proof of compliance before accessing the full HSGP award—3% of the award will be withheld from drawdown until compliance is confirmed.

Additional resources and information regarding election security are available through the Cybersecurity and Infrastructure Security Agency.

Supporting Border Crisis Response and Enforcement (10% minimum allocation)
State and local law enforcement agencies are essential partners in safeguarding national security and public safety. Pursuant to Executive Order 14159, *Protecting the American People Against Invasion*, it is the policy of the United States to enforce immigration laws against all inadmissible and removable aliens—particularly those who threaten the safety or security of the American

[1] Exec. Order No. 14,248, Preserving and Protecting the Integrity of American Elections, 90 Fed. Reg. 14,005 (Mar. 25, 2025).

people. This includes the efficient execution of these laws through lawful incentives and enhanced detention capabilities.

This NPA supports efforts that align with this policy and promote cooperation between local and federal partners. Projects may include, but are not limited to:

- Participation in the DHS/ICE 287(g) program, allowing trained local officers to support ICE with immigration enforcement;
- Cooperation with ICE detainers and other jurisdictional responsibilities related to immigration enforcement; and
- Supportive activities such as officer training, technology and information sharing, operational support, and community engagement.

At least one (1) investment must support efforts under this NPA. Applicants must allocate at least 10% of total SHSP funds to this area. All investments will be reviewed by DHS/FEMA to ensure they are effective, lawful, and aligned with program goals. The SAA must coordinate with ICE on all projects and related matters. Additional guidance and information on the 287(g) program is available through the ICE 287(g) program website.

d. ***Other FY 2025 SHSP Funding Priorities***

There are several enduring security needs that crosscut the homeland security enterprise to which recipients should consider allocating funding across core capability gaps and national priorities. The following are enduring needs that help recipients implement a comprehensive approach to securing communities:

- Effective planning;[2]
- Training and awareness campaigns;
- Equipment and capital projects; and
- Exercises.

The table below provides a breakdown of the FY 2025 SHSP priorities showing the core capabilities enhanced and lifelines supported, as well as examples of eligible project types for each area. More information on allowable investments can be found in Appendix 12.B and in the Preparedness Grants Manual (FM-207-23-001).

DHS/FEMA expects that national priorities will continue to be included in future years, evolving as threats change and capability gaps are addressed. Applicants are strongly encouraged to start planning now to sustain existing capabilities using funding sources other than DHS preparedness grants.

[2] Including assessment of critical infrastructure system vulnerabilities and plans to reduce consequences of disruptions, using the Infrastructure Resilience Planning Framework and Regional Resiliency Assessment Methodology produced by the Cybersecurity and Infrastructure Security Agency.

Projects listed in the table below may be useful in preparing for disasters unrelated to terrorism, as long as they also support the primary goals of preventing, preparing for, protecting against, or responding to acts of terrorism.

Example Project Types

All priorities in this table concern the Safety and Security Lifelines.

Priority Areas	Core Capabilities	Example Project Types
National Priorities		

Enhancing the Protection of Soft Targets/ Crowded Places (Securing Public Gathering Locations)	• Operational coordination
	• Public information and warning
	• Intelligence and information sharing
	• Interdiction and disruption
	• Screening, search, and detection
	• Access control and identity verification
	• Physical protective measures
	• Risk management for protection programs and activities
		• Operational overtime. For more information on operational overtime, see Appendix 12.B of this NOFO.
		• Physical security enhancements
		  ○ Security cameras (closed-circuit television [CCTV])
		  ○ Security screening equipment for people and baggage
		  ○ Lighting
		  ○ Access controls
		  ○ Fencing, gates, barriers, etc.
		• UAS and detection technologies

Enhancing Cybersecurity	• Cybersecurity
	• Intelligence and information sharing
	• Planning
	• Public information and warning
	• Operational coordination
	• Screening, search, and detection
	• Access control and identity verification
	• Supply chain integrity and security
	• Risk management for protection programs and activities
	• Long-term vulnerability reduction
	• Situational assessment
	• Infrastructure systems
	• Operational communications
		• Cybersecurity risk assessments
		• Migrating online services to the ".gov" internet domain
		• Projects that address vulnerabilities identified in cybersecurity risk assessments
		  ○ Improving cybersecurity of critical infrastructure to meet minimum levels identified by the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology Cybersecurity Framework (Version 1.1)
		  ○ Adoption of cybersecurity performance goals (CISA's Cross-Sector Cybersecurity Performance Goals)
		• Cybersecurity training, planning, and exercises

Supporting Homeland Security Task Forces and Fusion Centers	• Intelligence and information sharing • Interdiction and disruption • Public information and warning	• Establishing or enhancing multi-agency Homeland Security Task Forces (HSTFs), including operational coordination centers • Enhancing capabilities and integration with local fusion centers

Priority Areas	Core Capabilities	Example Project Types
	• Operational coordination • Risk management for protection programs and activities	• Procurement of technology or equipment to support surveillance, communications, and data analysis • Development of standard operating procedures for information sharing, joint operations, and immigration enforcement coordination • Personnel training, credentialing, and certification to improve interoperability and mission alignment • Intelligence analysis, reporting, and suspicious activity monitoring • Exercises and simulations focused on joint operations, intelligence sharing, or interdiction/disruption of criminal or smuggling networks • Community engagement efforts to foster trust and encourage threat reporting • Information sharing with all DHS components; fusion centers; other operational, investigative, and analytic entities; and other federal law enforcement and intelligence entities • Cooperation with DHS and other entities in intelligence, threat recognition, assessment, analysis, and mitigation • Identification, assessment, and reporting of threats of violence • Intelligence analysis training, planning, and exercises • Coordinating the intake, triage, analysis, and reporting of tips/ leads and suspicious activity, to include coordination with the Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI)
Enhancing Election Security	• Cybersecurity • Intelligence and information sharing • Planning • Long-term vulnerability reduction • Situational assessment • Infrastructure systems • Operational coordination • Community resilience	• Prioritize compliance with the VVSG 2.0 established by the U.S. Election Assistance Commission • Complete testing through a VSTL accredited by the U.S. Election Assistance Commission • Physical security planning and exercise support • Physical/site security measures – e.g., locks, shatter proof glass, alarms, access controls, etc. • General election security navigator support • Cyber and general election security navigator support • Cybersecurity risk assessments, training, and planning • Projects that address vulnerabilities identified in cybersecurity risk assessments • Iterative backups, encrypted backups, network segmentation, software to monitor/scan, and endpoint protection • Distributed Denial of Service protection • Migrating online services to the ".gov" internet domain • Online harassment and targeting prevention services

Priority Areas	Core Capabilities	Example Project Types
		• Public awareness/preparedness campaigns discussing election security and integrity measures • Long-term vulnerability reduction and community resilience
Supporting Border Crisis Response and Enforcement	• Training and awareness • Community resilience • Operational coordination • Risk management for protection programs and activities	• Staffing support to expand 287(g) screening operations within correctional facilities • Operational overtime costs directly tied to 287(g) screening, processing, and enforcement activities • Training programs for state and local law enforcement officers in immigration law, civil rights protections, and 287(g) procedures • Development or enhancement of information-sharing platforms between ICE and local agencies • Procurement of screening, detection, and communications technology to support immigration enforcement activities • Establishing secure and dedicated communication networks with ICE Field Offices • Conducting joint training exercises with ICE and local law enforcement to test operational coordination • Support for facilities upgrades, such as creating dedicated interview rooms and secure processing spaces • Community engagement and public briefings to promote transparency and understanding of 287(g) operations and protections
Enduring Needs		

Planning	• Planning
	• Risk management for protection programs and activities
	• Risk and disaster resilience assessment
	• Threats and hazards identification
	• Operational coordination
	• Community resilience
		• Development of:
		  ○ Security Risk Management Plans
		  ○ Threat Mitigation Plans
		  ○ Continuity of Operations Plans
		  ○ Response Plans
		  ○ Vulnerability Assessments
		• Efforts to strengthen governance integration between/among regional partners
		• Joint training and planning with DHS officials and other entities designated by DHS
		• Cybersecurity training and planning

Training and Awareness	• Long-term vulnerability reduction • Public information and warning • Operational coordination • Situational assessment • Community resilience	• Active shooter training • Intelligence analyst training • SAR and terrorism indicators/behaviors training • Security training for employees • Public awareness/preparedness campaigns • Cybersecurity training and planning • Sharing and leveraging intelligence and information
Equipment and Capital Projects	• Long-term vulnerability reduction • Infrastructure systems • Operational communications	• Protection of high-risk, high-consequence areas or systems that have been identified through risk assessments • Physical security enhancements ○ Security cameras (CCTV)

Priority Areas	Core Capabilities	Example Project Types
	• Interdiction and disruption • Screening, search and detection • Access control and identity verification • Physical protective measures	○ Security screening equipment for people and baggage ○ Lighting ○ Access Controls ▪ Fencing, gates, barriers, etc. • Enhancing Weapons of Mass Destruction and/or improvised explosive device prevention, detection, and response capabilities ○ Chemical/Biological/Radiological/ Nuclear/Explosive detection, prevention, and response equipment
Exercises	• Long-term vulnerability reduction • Operational coordination • Operational communications • Community resilience	• Response exercises, including exercise planning with community-based organizations

For FY 2025, each SHSP recipient is required to submit an Investment Justification (IJ) for the NPAs with minimum spend requirements (i.e., Enhancing Election Security and Supporting Border Crisis Response and Enforcement). The investments must also account for at least the relevant minimum percentage of the applicant's SHSP allocations. SAAs may submit complete project-level information at the time of application, including the NPA IJs, but are not required to do so. ***As a reminder, all SHSP-funded projects must have a demonstrated nexus to achieving target capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism***. At the same time, these projects can also help improve preparedness for other types of disasters.

e. *Goals and Objectives for OPSG*

Operation Stonegarden (OPSG) supports enhanced cooperation and coordination among Customs and Border Protection (CBP)/United States Border Patrol (USBP), and federal, state, local, tribal, and territorial law enforcement agencies to strengthen border security.

The program's objectives are to:

- Enhance collaboration and coordination among federal, state, local, tribal, and territorial law enforcement agencies to strengthen border security;
- Support joint efforts to secure borders, including land and water routes, and critical travel corridors; and
- Improve information and intelligence sharing to address border-related threats effectively.

f. *OPSG Funding Priorities*

FY 2025 Emphasis:

- Jurisdictions are encouraged to participate in the 287(g) program as part of their OPSG efforts when coordinated with and endorsed by USBP.

- Funding dedicated to support 287(g) activities under OPSG is encouraged but does not count toward the 10% minimum allocation required for the new "Supporting Border Crisis Response and Enforcement" National Priority Area (NPA) under SHSP.

The table below provides examples of project types.

FY 2025 OPSG - Example Project Types

Priority Areas	Core Capabilities	Lifelines	Example Project Types
National Priorities			
Supporting Border Crisis Response and Enforcement	• Training and awareness • Community resilience • Operational coordination • Risk management for protection programs and activities	• Enhance collaboration and coordination among federal, state, local, tribal, and territorial law enforcement agencies to strengthen border security • Support joint efforts to secure borders, including land and water routes, and critical travel corridors • Improve information and intelligence sharing to address border-related threats effectively • Provide staffing support to expand 287(g) screening operations within correctional facilities • Operational overtime costs directly tied to 287(g) screening, processing, and enforcement activities • Training programs for state and local law enforcement officers in immigration law, civil rights protections, and 287(g) procedures	

CBP/USBP remains the lead federal entity in determining eligibility, setting operational priorities, and coordinating all OPSG activities. Any use of 287(g) as part of eligibility must be developed in close coordination with CBP and reflect USBP's operational assessments and strategic goals.

C. Program Rationale
The stated goals, objectives, and priorities of HSGP support Section 2002 of the *Homeland Security Act of 2002*, Pub. L. No. 107-296 (codified as amended at 6 U.S.C. § 603).

D. Federal Assistance Type
Grant

E. Performance Measures and Targets
a. ***SHSP***

1. Number of recipients and stakeholders participating in the HSGP program.
2. Number of recipients and stakeholders addressing capability gaps identified through the THIRA/SPR process.
3. Number of gaps mitigated in a core capabilities that have a target(s) rated as high priority.
4. Percent change in year-over-year capability levels relating to targeted high priority capabilities identified through the THIRA/SPR process.

FEMA will calculate and analyze the above metrics through a review of state/territory SPR submissions and required programmatic reports.

b. ***OPSG***

1. Number of OPSG-funded overtime hours contributed by subrecipients to support and strengthen the U.S. CBP's border security operations.
2. Number of OPSG-funded overtime hours contributed by subrecipients to support and strengthen the U.S. CBP's border security operations.
3. Number of SLTT law enforcement agencies participating in joint OPSG activities.

F. Program-Specific Unallowable Costs

a. ***Unallowable Costs for SHSP and OPSG***

Per FEMA policy, the purchase of weapons and weapons accessories, including ammunition, is not allowed with HSGP funds. Grant funds may not be used for the purchase of the following equipment: firearms; ammunition; grenade launchers; bayonets; or weaponized aircraft, vessels, or vehicles of any kind with weapons installed. Unauthorized exercise-related costs include:

- Reimbursement for the maintenance or wear and tear costs of general use vehicles (e.g., construction vehicles), medical supplies, and emergency response apparatus (e.g., fire trucks, ambulances); and
- Equipment that is purchased for permanent installation and/or use, beyond the scope of the conclusion of the exercise (e.g., electronic messaging sign).

HSGP funds may not be used to support the hiring of sworn public safety officers for purposes of fulfilling traditional public safety duties or to supplant traditional public safety positions and responsibilities (6 U.S.C. § 609(b)(1)(A)).

As directed by Section 2008(b)(2) of the *Homeland Security Act of 2002* (codified as amended at 6 U.S.C. § 609(b)(2)), all personnel and personnel-related costs, including those of intelligence analysts and operational overtime, are allowed up to 50 percent of HSGP funding without time limitation placed on the period of time that such personnel can serve. FEMA may provide a waiver at the request of the recipient to allow personnel expenses to exceed 50 percent of the amount awarded, however.

b. ***Unallowable Costs for OPSG Only***

OPSG funds may not be used for the following:

- Evidence collection, arrest processing, prosecution, and Traffic/DUI checkpoints, such as evidence documentation cameras, fingerprinting supplies, alcohol breathalyzers, portable work lights, traffic barricades, and similar law enforcement expenses;
- Staffing (other than overtime) and general information technology computing equipment and hardware, such as personal computers, faxes, copy machines, and modems;
- Hiring full-time or permanent sworn public safety officers;
- Supplanting of inherent routine patrols and law enforcement operations or activities not directly related to providing enhanced coordination between local and federal law enforcement agencies;
- Construction and/or renovation costs; or
- Exercise expenses.

Applicants should refer to IB 421b, or contact their FEMA Headquarters (HQ) Preparedness Officer for guidance and clarification. Due to the nature of OPSG, exercise expenses are not allowable costs under OPSG.

G. General Funding Requirements
Costs charged to federal awards (including federal and non-federal cost share funds) must comply with applicable statutes, rules and regulations, policies, this NOFO, the Preparedness Grants Manual, and 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. 2 C.F.R. § 200.403(h).

Recipients may not use federal funds or any cost share funds for the following activities:

1. Matching or cost sharing requirements for other federal grants and cooperative agreements (see 2 C.F.R. § 200.306).
2. Lobbying or other prohibited activities under 18 U.S.C. § 1913 or 2 C.F.R. § 200.450.
3. Prosecuting claims against the federal government or any other government entity (see 2 C.F.R. § 200.435).

1. Funds Transfer Restriction

Recipients are not allowed to move funds between programs (SHSP and OPSG). While projects can be funded by multiple sources, recipients cannot shift funds from one program to another.

H. Indirect Costs (Facilities and Administrative Costs)
Indirect costs are allowed for recipients and subrecipients.

Indirect costs (IDC) are costs incurred for a common or joint purpose benefitting more than one cost objective and not readily assignable to specific cost objectives without disproportionate effort. Applicants with a current negotiated IDC rate agreement who desire to charge indirect costs to a federal award must provide a copy of their IDC rate agreement with their applications. Not all applicants are required to have a current negotiated IDC rate agreement. Applicants that are not required to have a negotiated IDC rate agreement, but are required to develop an IDC rate proposal, must provide a copy of their proposal with their applications. Applicants without a current negotiated IDC rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to FEMA for further instructions. Applicants who wish to use a cost allocation plan in lieu of an IDC rate proposal must reach out to FEMA for further instructions. As it relates to the IDC for subrecipients, a recipient must follow the requirements of 2 C.F.R. §§ 200.332 and 200.414 in approving the IDC rate for subawards.

See the Preparedness Grants Manual for information on establishing indirect cost rates.

I. Management and Administration (M&A) Costs
Recipients can use up to 5% of their HSGP funds for M&A purposes. *Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4, § 1101*. Subrecipients may also use

up to 5% of the funding passed through by the state specifically for M&A related to the HSGP award.

Recipients or subrecipients can apply M&A costs toward meeting the NPA spending requirements. For example, if a recipient spent $5,000 on administering election security projects, it could count toward the mandatory 3% allocation for the election security NPA.

The total M&A funds a state can retain are based on 5% of the combined total of its SHSP and OPSG awards. However:

- States must ensure subrecipient awards meet the mandatory pass-through requirements before retaining M&A funds.
- Pass-through percentages are calculated based on the total HSGP award, before M&A deductions.

Under OPSG, subrecipients - including local law enforcement agencies referred to as "friendly forces" - can use up to 5% of their awarded funds for M&A expenses (*Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4, § 1101*). In retaining these funds, states may retain a maximum of 2.5% of the OPSG allocation, which must be withheld from the pass-through to each subrecipient county or tribe in an equal percentage. The SAA may also retain additional funding from its SHSP award to manage and administer the OPSG award, but that additional amount is also capped at an amount equal to 2.5% of the OPSG award.

Example of applying this principle:

SAA 1:

- Total award: $4,500,000
- SHSP: $3,500,000 OPSG: $1,000,000
- M&A Maximum: $225,000 (5% of $4,500,000)
- Maximum M&A for SHSP = $175,000
- Maximum M&A for OPSG = $50,000. Of that amount, $25,000 (2.5%) may be retained from the OPSG allocation, and the other $25,000 would come from the SHSP allocation. Any amount used to manage and administer OPSG that is charged to SHSP may be above and beyond the $175,000 available to manage the SHSP allocation.

M&A charged to OPSG and SHSP funding must be used to support that particular program. See the Preparedness Grants Manual for information on M&A costs.

J. Pre-Award Costs

Pre-award costs are defined as costs incurred by the applicant prior to the start date of the period of performance of the federal award and are allowable only with the prior written approval of DHS/FEMA and as included in the award agreement. To request pre-award costs, a written request must be included with the application, signed by the AOR of the entity. The letter must outline what the pre-award costs are for, including a detailed budget break-out of pre-award costs from the post-award costs, and a justification for approval. For more information, please contact your assigned FEMA HQ Preparedness Officer.

K. Beneficiary Eligibility
There are no program requirements. This NOFO and any subsequent federal awards create no rights or causes of action for any beneficiary.

L. Participant Eligibility
There are no program requirements. This NOFO and any subsequent federal awards create no rights or causes of action for any participant.

M. Authorizing Authority
Section 2002 of the *Homeland Security Act of 2002*, Pub. L. No. 107-296 (codified as amended at 6 U.S.C. § 603).

N. Appropriation Authority
Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4 § 1101.

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

P. Prohibition on Covered Equipment or Services
See the Preparedness Grants Manual for information on prohibitions on expending funds on covered telecommunications and surveillance equipment and services.

4. Application Contents and Format

A. Pre-Application, Letter of Intent, and Whitepapers
Not allowable.

B. Application Content and Format
Not applicable.

C. Application Components
The following forms or information are required to be submitted via FEMA GO. Applicants can complete these forms directly in FEMA GO without needing to upload PDF versions of the forms. The Standard Forms (SF) are also available at Forms | Grants.gov.

- 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

D. Program-Specific Required Documents and Information
Start by visiting Grants.gov and searching for the Homeland Security Grant Program posting. Once you find the posting, go to the **Related Documents** tab to download the necessary templates. Fill out these forms carefully, ensuring all information is accurate and clearly labeled. Save the completed forms as Adobe PDF files. Finally, log in to FEMA GO and upload the PDFs as part of your application.

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

SHSP
- FEMA GO – Web based Summary of Grant Request Details
- Senior Advisory Committee (SAC) Charter and Membership / Point of Contact List

OPSG
Operations Orders (See Section 9.K.d)
Applicable to All Programs (as appropriate)
- Detailed Budgets (web based)
- Pre-Award Costs
- Indirect Cost Agreement

For additional documents and post-award application requirements (e.g., SAFECOM letter and others), please refer to Section 9 Post-Award Requirements and Administration for guidance.

a. ***IJ Development: SHSP***
Each IJ begins with an overview that aligns the proposed investments with the applicant's homeland security strategy and the program's goals.

1. **Investments:** Applicants must propose a minimum of two and a maximum of twelve investments within the IJ. Each investment represents a strategic area of focus and should include:
   - **Investment Name:** A clear title that reflects the focus area.
   - **Description:** An explanation of how the investment supports planning, organization, equipment, training, and exercises.
   - **Alignment:** Identification of goals and objectives from the State Homeland Security Strategy that the investment supports.

2. **Projects:** Each investment contains one or more projects detailing specific activities. For each project, the IJ requires:
   - **Project Name and Description:** A concise title and summary of the project's purpose and activities.
   - **Subrecipient Information:** Details about any subrecipients involved, including their names and whether they are state or local entities.

- **Location:** The primary location's zip code where the project will be implemented.
- **Core Capability Supported:** The main capability the project aims to build or sustain.
- **Shareability and Deployability:** Information on whether the project's activities can be shared with or deployed to other jurisdictions.

3. **Funding Details:** The IJ must specify the funding amount for each investment and project, ensuring alignment with program guidelines and the minimum spending thresholds for NPAs and LETPA.

4. **Capability Gaps and Outcomes:** Applicants should describe existing capability levels, identify gaps the investment intends to address, and outline the expected outcomes and improvements resulting from the proposed projects.

b. ***LETPA and NPA Requirements***

Applicants must ensure their IJs meet specific requirements for LETPA and the NPAs.

1. **LETPA**

- At least 35% of SHSP funds must go toward LETPA projects that prevent terrorism, such as law enforcement training or equipment.
- Eligible activities must have a clear nexus to law enforcement terrorism prevention, including equipment, training, exercises, and operational overtime directly related to preventing terrorism.
- Applicants should clearly identify which investments and projects contribute to the LETPA allocation within their IJs.
- It's allowable for an investment to simultaneously support LETPA and an NPA, provided it meets the criteria for both.
- Investments and projects meeting LETPA requirements must be clearly labeled in the IJ.

2. **NPA:**

- At least 30% of SHSP funds must go toward projects in five NPAs:
  - Protecting soft targets/crowded places;
  - Supporting Homeland Security Task Forces and Fusion Centers;
  - Enhancing cybersecurity;
  - Enhancing election security (requires at least 3%); and
  - Supporting Border Crisis Response and Enforcement (requires at least 10%).
- Among these, only "Enhancing election security" and “Supporting Border Crisis Response and Enforcement” have a specified minimum spend requirement of 3% and 10%, respectively. The remaining 17% can be flexibly allocated across the remaining NPAs.
- For NPAs with a minimum spend requirement (election security and 287(g)), related projects must be consolidated into single IJs, clearly labeled IJ.
- Other NPA projects may be combined into one or more IJs, but applicants must clearly identify which NPAs each project supports to ensure they count toward the 30% minimum allocation.

c. *Fusion Center Project IJ Requirement*

For SHSP funded investments, each applicant must designate one project in support of a designated fusion center under the "*Supporting Homeland Security Task Forces and Fusion Centers*" priority area. Coordination with the fusion center is required when developing the project prior to submission. Additional guidance on developing fusion center projects can be found below and in the Preparedness Grants Manual.

Applicants must identify a fusion center project that includes:

- **Alignment with the Designated Fusion Center**: Clearly indicate which fusion center the project supports and that it's under the "*Supporting Homeland Security Task Forces and Fusion Centers*" priority area.
- **Project Description and Funding Details**: Provide a brief narrative describing the proposed activities and a detailed funding breakdown that directly supports the fusion center.

The narrative and financial itemization must align with fusion center improvement or sustainment needs, as outlined in the Fusion Center Performance Measures section of the Preparedness Grants Manual. Recipients can also refer to the Fusion Centers | Homeland Security website for more information.

d. *What Happens if IJ Requirements Aren't Met?*

- If IJs don't meet the NPA and LETPA spending requirements, FEMA will place a hold on those impacted funds until the issues are resolved.
- Applicants can provide project details either during the application process or by including them in the Biannual Strategy Implementation Report (BSIR) due by January 30, 2026.

e. *How to Succeed*

- Clearly explain how your projects meet LETPA and NPA goals, and which IJ includes the Fusion Center.
- Ensure investments and projects align with homeland security strategies and fill capability gaps.
- Maintain detailed records to support your application and help FEMA review it.

By following these steps, applicants can ensure their funding proposals are clear, meet program requirements, and align with homeland security priorities.

f. *FEMA GO - Grant Request Details (Web-Based)*

When completing the Grant Request Details section in the FEMA GO Application, entities are strongly encouraged to provide complete details about their proposed projects. This includes project names, descriptions, and associated costs to ensure clarity and accuracy in funding requests.

However, applicants will not be penalized if they do not enter full details at this stage. They will have another opportunity to refine and expand upon this information when completing the Winter BSIR.

At a minimum, applicants must submit the IJ to demonstrate the projects they intend to fund. The IJ provides a high-level summary of proposed initiatives and aligns them with grant priorities.

For additional guidance on completing the Grant Request Details section, refer to the FEMA GO Application Process Guide or consult your HQ FEMA Preparedness Officer.

g. ***Senior Advisory Committee (SAC) Charter and Advisory List***
Recipients are required to establish a SAC and provide a copy of the SAC Charter with their application. The SAC Charter should include a detailed description of the committee's composition, governance processes, meeting frequency, decision-making procedures, and defined roles and responsibilities. All members of the SAC should sign and date the charter to indicate their agreement with its content and their representation on the committee. Recipients must include the information as an attachment in FEMA GO when submitting their application. SAA will use the URT to verify compliance with SAC charter requirements. For more information on SAC composition, scope, responsibilities, see the Preparedness Grants Manual.

h. ***National Incident Management System (NIMS) Implementation***
Prior to allocation of any federal preparedness awards, recipients must ensure and maintain adoption and implementation of NIMS, including implementation of important operational systems defined under NIMS, such as the Incident Command System (ICS). The list of objectives used for progress and achievement reporting is on FEMA's website at https://www.fema.gov/emergency-managers/nims/implementation-training.

Please see the Preparedness Grants Manual for more information on NIMS.

i. ***Emergency Management Assistance Compact (EMAC) Membership***
In support of the National Preparedness Goal (the Goal), SHSP recipients must participate in the EMAC. Exceptions are made for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to join EMAC at this time.

All assets supported in part or entirely with FY 2025 HSGP funding must be readily deployable and NIMS-typed, when possible, to support emergency or disaster operations per existing EMAC agreements. In addition, funding may be used for the sustainment of core capabilities that, while they may not be physically deployable, support national response capabilities, such as Geographic/Geospatial Information Systems, interoperable communications systems, and capabilities as defined under the Mitigation Mission Area of the Goal.

k. ***Detailed Budget***
Applicants must complete the web-based budget summary within FEMA GO for all funds requested at the time of the application. For detailed guidance, refer to the FEMA GO Application Process Guide.

For a visual guide on entering sub-recipient management costs in FEMA GO, you may find the following tutorial helpful: How To Enter Sub-recipient Management Costs In FEMA-Go.

E. Post-Application Requirements for Successful Applicants
Not applicable.

5. Submission Requirements and Deadlines

A. Address to Request Application Package
Applications are processed through the FEMA GO system. To access the system, go to https://go.fema.gov/.

Steps Required to Apply For An Award Under This Program and Submit an Application:

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

a. Apply for, update, or verify their Unique Entity Identifier (UEI) number and EIN from the Internal Revenue Service (IRS);
b. In the application, provide an UEI number;
c. Have an account with login.gov;
d. Register for, update, or verify their System for Award Management (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 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/media-library/assets/documents/181607;
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.

Per 2 C.F.R. § 25.110(a)(2)(iv), if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to receiving a federal award, the applicant must notify FEMA as soon as possible. Contact fema-grants-news@fema.dhs.gov and provide the details of the exigent circumstances.

How to Register to Apply:

General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Below are instructions for registering to apply for FEMA funds. Read the instructions carefully and prepare the requested information before beginning the registration process. Gathering the required information before starting the 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 a UEI number, EIN, and an active SAM registration.

Obtain a 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.

Obtain Employer Identification Number:

In addition to having a UEI number, all entities applying for funding must provide an 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.

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 at: https://secure.login.gov/sign_up/enter_email?request_id=34f19fa8-14a2-438c-8323-a62b99571fd.

Applicants only have to create a login.gov account once. For existing SAM users, use the same email address for both login.gov and 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.

Register with SAM:

In addition to having a UEI number, all organizations must register with SAM. Failure to register with SAM will prevent your organization from applying through FEMA GO. SAM registration must be renewed annually and must remain active throughout the entire grant life cycle.

For more detailed instructions for registering with SAM, refer to: Register with SAM

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 past three years, if applicable.

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 FEMA GO Startup Guide.

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

- Google Chrome;
- Mozilla Firefox;

- Apple Safari; and
- Microsoft Edge.

Applicants using tablet type devices or other browsers may encounter issues with using FEMA GO.

Submitting the Final Application:

Applicants will be prompted to submit the standard application information, and any program-specific information required. Standard Forms (SF) may be accessed in the Forms tab under the: SF-424 Family | Grants.gov.

Applicants should review these forms before applying to ensure they are providing all required information.

After submitting the final application, FEMA GO will provide either an error message, or an email to the submitting AOR confirming the transmission was successfully received.

B. Application Deadline
08/11/25 05:00:00 PM Eastern Time

C. Pre-Application Requirements Deadline
Not applicable.

D. Post-Application Requirements Deadline
Not Applicable.

E. Effects of Missing the Deadline
All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of submission and generates an electronic date/time stamp when FEMA GO successfully receives an application. The submitting AOR will receive via email the official date/time stamp and a FEMA GO tracking number to serve as proof of timely submission prior to the application deadline.

Applicants experiencing system-related issues have until 3:00 PM ET on the date applications are due to notify their FEMA Preparedness Officer or the FEMA GO Helpdesk. No new system-related issues will be addressed after this deadline. Applications not received by the application submission deadline will not be accepted.

6. Intergovernmental Review

A. Requirement Description and State Single Point of Contact
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.

7. Application Review Information

A. Threshold Criteria

The SAA is the sole entity authorized to submit HSGP applications to FEMA on behalf of the state and subrecipients. This section highlights the specific criteria that determine ineligibility, ensuring applicants understand and adhere to the program's requirements.

a. ***Entities Ineligible for HSGP Funding***

- **Non-SAA Organization -** SAA are the only eligible applicants to submit HSGP applications to FEMA. This includes applications for SHSP and OPSG.
- **Unaffiliated or Unauthorized Representatives -** Applications submitted by individuals who are not current employees, personnel, or authorized representatives of the applicant organization (e.g., consultants or contractors acting on behalf of an organization) will be deemed ineligible.
- **Organizations Not Registered in SAM.gov -** Applicants that fail to register and maintain an active profile in SAM.gov, or those without a UEI, are not eligible to receive funding.
- **Direct Applications by Tribal Governments -** Tribal governments cannot directly apply for HSGP funding (SHSP, OPSG). However, they may receive funding as subrecipients through their state's SAA.

b. ***Ineligible Projects***

- Projects that do not align with the purposes of the HSGP, including those that fail to demonstrate a clear nexus to preventing, preparing for, protecting against, or responding to acts of terrorism.
- Activities not permitted under HSGP guidance or that do not meet criteria for allowable costs as outlined in the NOFO and Preparedness Grants Manual.

c. ***Non-Compliance with Federal Requirements***

- Failure to submit a complete and accurate application by the deadline.
- Applications missing required documentation or information, such as an active registration in SAM.gov or compliance with UEI requirements.
- Entities with a history of non-compliance with federal statutes, regulations, or program requirements that impact eligibility for federal funding.

B. Application Criteria

a. ***Programmatic Criteria***

1. Risk Methodology

The risk methodology determines the relative risk[3] of terrorism a jurisdiction faces by assessing the expressed or implied threats, the asset/system vulnerabilities, and the communal consequences of an attack. The equation for relative risk is comprised of three components: Threat x Vulnerability x Consequence. Each component is comprised of data elements that are reviewed yearly, in collaboration with FEMA stakeholders, to ensure alignment with the

[3] DHS defines risk as: "potential for an adverse outcome assessed as a function of hazard/threats, assets and their vulnerabilities, and consequences." See DHS Lexicon Terms and Definitions: 2018 Edition – Revision 04, (Apr. 2018)

changing U.S. terrorism threat environment. Each eligible jurisdiction's relative risk is assessed, which helps to inform grant funding. For more information on the SHSP and OPSG allocation processes, please see Appendix 11.A.

The three components of risk and their functions are outlined below:

- Threat: Assesses reports documenting indication of potential harm to life, information, operations, the environment and/or property within a jurisdiction.
- Vulnerability: Assesses assets and systems - such as infrastructure, borders, special events, and movements of individuals or groups - that may render terrorist attacks on a jurisdiction more likely to succeed, if attempted.
- Consequence: Assesses the impact of a terrorist attack on a jurisdiction through direct measures such as the numerical values for its population, gross domestic product, and infrastructure.

NOTE: The risk methodology is separate from the THIRA/SPR process. Risk methodology results do affect grant allocations while the THIRA/SPR process does not.

b. ***Application Evaluation Criteria***

FEMA will evaluate the FY 2025 HSGP applications for completeness, adherence to programmatic guidelines, and anticipated effectiveness of the proposed investments. FEMA's review will include verification that each IJ and project:

- Aligns with at least one core capability identified in the Goal;
- Demonstrates how investments support building capability and/or closing capability gaps or sustaining capabilities identified in the THIRA/SPR process; and
- Supports a NIMS-typed resource and whether those assets are deployable/shareable to support emergency or disaster operations per existing EMAC agreements.

In addition to the above, FEMA will evaluate whether proposed projects are: 1) both feasible and effective at reducing the risks for which the project was designed; and 2) able to be fully completed within the three-year period of performance. FEMA will use the information provided in the application and after the submission of the first BSIR to determine the feasibility and effectiveness of a grant project. To that end, IJs should include:

- An explanation of how the proposed project(s) will achieve objectives as identified in the SPR, including expected long-term impact where applicable, and which core capability gap(s) it helps to close and how;
- A summary of the status of planning and design efforts accomplished to date (e.g., included in a capital improvement plan); and
- A project schedule with clear milestones.

Recipients are expected to conform, as applicable, with accepted engineering practices, established codes, standards, modeling techniques, and best practices, and participate in the development of case studies demonstrating the effective use of grant funds, as requested.

FEMA will also review any submitted NPA-aligned IJs and projects to ensure they meet the minimum spend requirements. Additional information on how the NPA IJs and projects will be reviewed for effectiveness is included in the Review and Selection Process section below.

b. ***Review and Selection Process***

1. SHSP

FY 2025, HSGP applications will be reviewed through a two-phase state and federal review process for completeness, adherence to programmatic guidelines, feasibility, and how well the IJ (project description and justification) addresses the identified risk(s).

State Review

The SAA is the sole entity authorized to submit HSGP applications to FEMA on behalf of the state and subrecipients. The SAA reviews subaward applications to ensure they meet the legal, financial, and programmatic requirements set forth by FEMA and the state's guidelines before submitting on behalf of the state to DHS/FEMA. As part of the review for HSGP - SHSP - the SAA must:

- Conduct an eligibility review;
- Review and score only complete application packages (including mission statements and vulnerability assessments) using the HSGP Scoring Criteria provided by DHS/FEMA;
- Coordinate with the local and tribal governments, then prioritize projects that align with the NOFO requirements;
- Submit IJs that are recommended for funding to DHS/FEMA; and,
- Submit IJs received and not recommended for funding, including incomplete IJs and IJs from subapplicants deemed ineligible to DHS/FEMA.

Federal Review

All proposed investments will undergo a federal review by DHS/FEMA to ensure compliance with all administrative and eligibility criteria identified in the NOFO. The Federal Reviewers will check each proposed investment for the following:

- Eligibility, feasibility, and alignment with the application criteria listed in this NOFO;
- Compliance and effectiveness in addressing NPAs, ensuring required spend percentages are met;
- Compliance with SAFECOM Guidance on Emergency Communications Grants (SAFECOM Guidance); and,
- LETPA project alignment with program objectives and required spend percentages.

National Priority Area Funding Holds

If applicants submit IJs and project-level details at the time of application, FEMA will evaluate effectiveness prior to award. If projects do not sufficiently align with NPAs, up to 30% of funds may be placed on hold until revisions are made.

If applicants submit IJs and project-level details as part of their December 2026 BSIR, 30% of funds will be placed on hold until FEMA reviews the BSIR and confirms alignment with NPAs.

2. OPSG

For OPSG, applications will be reviewed by the SAA and USBP Sector Headquarters for completeness and adherence to programmatic guidelines and evaluated for anticipated feasibility, need, and impact..

DHS/FEMA will verify compliance with all administrative and eligibility criteria outlined in the NOFO. DHS/FEMA and USBP will use the results of both the risk analysis and the federal review to make recommendations for funding to the Secretary of Homeland Security.

OPSG funds will be allocated among the eligible jurisdictions based on risk-based prioritization using the OPSG Risk Assessment described in Appendix A. Final funding allocations are determined by the Secretary of Homeland Security, who may consider information and input from various law enforcement offices or subject-matter experts within the Department. Factors considered include, but are not limited to:

- Threat and vulnerability assessments
- Total miles of the border Border-specific law enforcement intelligence
- Feasibility of Operations Orders to designated localities within border states and territories.

This comprehensive review and selection process ensures that HSGP and OPSG funds are distributed effectively to enhance national preparedness, border security, and overall homeland security efforts.

C. Financial Integrity Criteria

Before making an award, FEMA is required to review OMB-designated databases for applicants' eligibility and financial integrity information. This is required by the Payment Integrity Information Act of 2019 (Pub. L. No. 116-117, § 2 (2020)), 41 U.S.C. § 2313, and the "Do Not Pay Initiative" (31 U.S.C. 3354). For more details, please see 2 C.F.R. § 200.206.

Thus, the Financial Integrity Criteria may include the following risk-based considerations of the applicant:

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

D. Supplemental Financial Integrity Criteria and Review

Before making an award expected to exceed the simplified acquisition threshold (currently a total federal share of $250,000) over the period of performance:

1. FEMA is required by 41 U.S.C. § 2313 to review or consider certain information found in SAM.gov. For details, please see 2 C.F.R. § 200.206(a)(2).
2. An applicant may review and comment on any information in the responsibility/qualification records available in SAM.gov.

3. Before making decisions in the risk review required by 2 C.F.R. § 200.206, FEMA will consider any comments by the applicant.

E. Reviewers and Reviewer Selection

Reviewers for HSGP are selected from within FEMA, across the federal government, and, where applicable, may include external subject matter experts. These reviewers are chosen based on their expertise in homeland security, emergency management, and grant administration.

To prevent conflicts of interest, reviewers must disclose any personal or professional relationships with applicants before the review process begins. Any individual with a conflict is recused from evaluating the affected application. Additionally, reviewers are required to complete ethics and impartiality training to ensure a fair and unbiased review process.

F. Merit Review Process

HSGP applications are not reviewed solely on merit. While merit plays a role—such as evaluating the effectiveness, feasibility, and impact of proposed investments—the review process heavily incorporates risk-based methodologies and compliance criteria. HSGP does not use a weighted scoring method. All criteria are considered equally during the review process.

Review Process:

- State Review (SHSP): The SAA conducts an initial eligibility review and prioritizes projects for submission to FEMA.
- OPSG Review: OPSG applications are reviewed in coordination with the SAA and USBP Sector Headquarters to assess completeness, feasibility, need, and the anticipated impact of proposed Operations Orders.
- Federal Review: FEMA conducts a federal review of all applications to ensure eligibility, feasibility, and compliance with NOFO requirements.

While merit is a key factor in assessing alignment with national priorities, state and local needs, expected impact, and cost-effectiveness, funding decisions also weigh risk assessments, eligibility criteria, and available funding allocations.

G. Final Selection

The Secretary of Homeland Security makes the final funding decisions, considering risk assessments, subject-matter expert input, and project feasibility, while also ensuring alignment with national priorities and compliance with legal, financial, and policy guidelines for strategic allocation of funds.

8. Award Notices

A. Notice of Award

The Authorized Organization Representative (AOR) should carefully read the federal award package before accepting the federal award. The federal award package includes instructions on administering the federal award as well as terms and conditions for the award.

By submitting an application, applicants agree to comply with the prerequisites stated in this NOFO, the Preparedness Grants Manual, and the material terms and conditions of the federal award, should they receive an award.

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 award package notification email is sent via the grant application system to the submitting AOR. The package provides instructions on how to manage the award and outlines the terms and conditions. The AOR should carefully read the federal award package before accepting it.

For HSGP, "receipt of funds" happens when the recipient accepts the award or 15 calendar days after receiving the award notification, whichever comes first. IF the recipient accepts the award within 15 calendar days of the notification, the 45-day pass-through period starts on the acceptance date. If the recipient does not accept the award within 15 calendar days, the 45-day pass-through period automatically begins 15 calendar days after the notification is sent through FEMA GO. For detailed guidance on managing preparedness grants, including pass-through requirements and timelines, please refer to the FEMA Preparedness Grants Manual, Pass-Through Requirements. For more information on award acceptance, refer to the FEMA GO Award Acceptance Guide.

Funds will remain on hold until the recipient accepts the award via FEMA GO 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.

B. Pass-Through Requirements
Under HSGP, SAAs must pass at least 80% of SHSP funding to local or tribal governments. The state may retain up to 20% for state-level needs. "Pass-through" means SAAs must allocate funds to eligible entities as defined by law, such as counties, municipalities, tribal governments, or other public entities. For detailed guidance on HSGP pass-through requirements and timelines, please see Section 8 of the FEMA Preparedness Grants Manual.

After award acceptance, the state must pass through at least 80% of SHSP funds to local or tribal governments within 45 days. The timeline starts when the SAA accepts the award or 15 days after FEMA notifies the SAA, whichever is sooner. Funds must be distributed unconditionally, and the SAA must certify to FEMA that the pass-through is complete, listing amounts and recipients. U.S. territories are exempt, except for Puerto Rico, which must comply. States may keep more than 20% of funds only with written consent from local recipients, outlining the retained amount and purpose.

C. Note Regarding Pre-Award Costs
Even if pre-award costs are allowed, beginning performance is at the applicant and/or sub-applicant's own risk.

D. Obligation of Funds

The funds are obligated only when and once the agency's signatory authority approves and signs the award package.

E. Notification to Unsuccessful Applicants
FEMA informs the SAA about unsuccessful subrecipients or projects under HSGP at the time of the award. The SAA is then responsible for notifying the subapplicants and sharing any relevant feedback or information.

9. Post-Award Requirements and Administration

A. Administrative and National Policy Requirements

Presidential Executive Orders

Recipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference.

In accordance with *Executive Order 14305, Restoring American Airspace Sovereignty (June 6, 2025)*, and to the extent allowed by law, eligible state, local, tribal, and territorial grant recipients under this NOFO are permitted to purchase unmanned aircraft systems, otherwise known as drones, or equipment or services for the detection, tracking, or identification of drones and drone signals, consistent with the legal authorities of state, local, tribal, and territorial agencies. Recipients must comply with all applicable federal, state, and local laws and regulations, and adhere to any statutory requirements on the use of federal funds for such unmanned aircraft systems, equipment, or services.

Subrecipient Monitoring and Management

Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.

B. DHS Standard Terms and Conditions
A recipient under this funding opportunity must comply with the DHS Standard Terms and Conditions in effect as of the date of the federal award. The DHS Standard Terms and Conditions are available online: DHS Standard Terms and Conditions | Homeland Security. For continuation awards, the terms and conditions for the initial federal award will apply unless otherwise specified in the terms and conditions of the continuation award. The specific version of the DHS Standard Terms and Conditions applicable to the federal award will be in the federal award package.

C. Financial Reporting Requirements
See the Preparedness Grants Manual for information on financial reporting requirements.

D. Programmatic Performance Reporting Requirements
See the Preparedness Grants Manual for information on performance reporting requirements.

E. Closeout Reporting Requirements
See the Preparedness Grants Manual for information on closeout reporting requirements and administrative closeout.

Anytime there is a change in personnel for any of the awardees and/or subrecipients, their information needs to be submitted for approval (all the previous personal information identified).

F. Disclosing Information per 2 C.F.R. § 180.335
See the Preparedness Grants Manual for information on disclosing information per 2 C.F.R. § 180.335.

G. Reporting of Matters Related to Recipient Integrity and Performance
See the Preparedness Grants Manual for information on reporting of matters related to recipient integrity and performance.

H. Single Audit Report
See the Preparedness Grants Manual for information on single audit reports.

I. Monitoring and Oversight
Per 2 C.F.R. § 200.337, DHS and its authorized representatives have the right of access to any records of the recipient or subrecipient pertinent to a Federal award to perform audits, site visits, and any other official use. 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 or the Federal award in general.

Pursuant to this right and per 2 C.F.R. § 200.329, DHS may conduct desk reviews and make site visits to review and evaluate project accomplishments and management control systems as well as provide any required technical assistance. Recipients and subrecipients must respond in a timely and accurate manner to DHS requests for information relating to a federal award. See the Preparedness Grants Manual for more information on monitoring and oversight.

J. Program Evaluation
Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), PUBL435.PS urges federal agencies to use program evaluation as a critical tool to learn, improve 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). OMB A-11, Section 290 (Evaluation and Evidence-Building Activities) further outlines the standards and practices for evaluation activities. Federal agencies are required to specify any requirements for recipient participation in program evaluation activities (2 C.F.R. § 200.301). Program evaluation activities incorporated from the outset in the NOFO and program design and implementation allow recipients and agencies to meaningfully document and measure progress and achievement towards program goals and objectives, and identify program outcomes and lessons learned, as part of demonstrating recipient performance (2 C.F.R. § 200.301).

As such, recipients and subrecipients are required to participate in a Program Office (PO) or a DHS Component-led evaluation, if selected. This may be carried out by a third-party on behalf of the PO or the DHS Component. Such an evaluation may involve information collections including but not limited to, records of the recipients; surveys, interviews, or discussions with individuals who benefit from the federal award, program operating personnel, and award recipients; and site visits or other observation of recipient activities, as specified in a DHS Component or PO-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) in accordance with 2 C.F.R.§ 200.413.

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.

K. Additional Performance Reporting Requirements
Award recipients must submit the following reports: quarterly financial reports, semi-annual performance reports and BSIR submissions, final financial and performance reports, and an annual audit report (if required). These must follow the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, found at 2 C.F.R. Part 200, or specific conditions of the award. If reports are late, future funding or fund access may be delayed, and additional reports may be requested in some cases.

a. *Reporting on the Implementation of the National Preparedness System*
Recipients are required to complete the THIRA every three years and the SPR annually through the URT on the Preparedness Toolkit no later than December 31. These assessments help jurisdictions identify and address capability gaps to enhance overall preparedness. See the Preparedness Grants Manual for information on reporting on the Implementation of the National Preparedness System.

b. *BSIR*
In addition to submitting semi-annual progress reports, recipients are required to complete the BSIR. The BSIR is submitted twice a year—in June and December—and provides detailed updates on the status and progress of funded projects. For comprehensive guidance on BSIR submission and other reporting requirements, see the Preparedness Grants Manual.

c. *Emergency Communications Investments - SAFECOM Compliant Letter*
An Emergency Communications Investments - SAFECOM Compliant Letter is required when utilize federal grants to fund emergency communications projects. The signatory authority for the SAA must certify in writing to DHS/FEMA their compliance with the SAFECOM Guidance. The certification letter should be coordinated with the Statewide Interoperability Coordinators (SWIC) for each state and must be uploaded to FEMA GO at the time of the Winter BSIR submission.

For detailed information on SAFECOM Guidance and compliance requirements, refer to the https://www.cisa.gov/safecom/funding. If you have further questions or need assistance, contact the SAFECOM Program at SAFECOMGovernance@cisa.dhs.gov.

d. *Operations Orders for OPSG*

The Operations Order (OO) is a detailed plan that explains the specific aspects of an operation, including its goals, tasks, timelines, and resources needed. It provides clear instructions on how to carry out the operation, identifying who is responsible for each task, the resources required, and the expected results. Recipients are required to submit an OO to show their ability to implement the proposed activities effectively, align with program goals, and meet funding requirements.

1. Accessing the OO Template Instructions

To access the OPSG OO Template:

- Find the HSGP posting via the search function on Grants.gov;
- Select the Related Documents tab on the posting; and
- Click on the OPSG OO Template and fill out all sections of the template.
- Writing the Executive Summary

The OO Executive Summary must:

- Identify the organization name, point of contact, committees, and other structures accountable for implementing OPSG in the jurisdiction (typically this will be a program lead or manager overseeing operations and individuals assigned to that agency); and
- Describe how federal and SLTT law enforcement agencies will work together to establish and enhance coordination and collaboration on border security issues.

3. Budget Requirements Overview

The OO Detailed Annual Budget must:

- Explain how costs and expenses were estimated; and
- Provide a narrative justification for costs and expenses.
- Supporting tables describing cost and expense elements (e.g., equipment, fuel, vehicle maintenance costs) may be included.

4. Submission Requirements

The OO must meet the following submission requirements:

- Must be submitted as an Adobe PDF document;
- All documents submitted must use the unique identifier created by the OPSG data management system from the original associated operation order; and

- Applicable OPSG sector representatives must coordinate with the SAA and OPSG participants to submit an accurate inventory of all specified OPSG purchased property with each Operations Order/ Fragmentary Order (FRAGO).

L. Termination of the Federal Award

1. Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 sets forth a term and condition entitled "Termination of a Federal Award." The termination provision condition listed below applies to the grant award and the term and condition in Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 does not.

2. Termination of the Federal Award by FEMA

   FEMA may terminate the federal award in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

   a. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.
   b. With the consent of the recipient, in which case FEMA and the recipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
   c. If the federal award no longer effectuates the program goals or agency priorities. Under this provision, FEMA may terminate the award for these purposes if any of the following reasons apply:

      i. If DHS/FEMA, in its sole discretion, determines that a specific award objective is ineffective at achieving program goals as described in this NOFO;
      ii. If DHS/FEMA, in its sole discretion, determines that an objective of the award as described in this NOFO will be ineffective at achieving program goals or agency priorities;
      iii. If DHS/FEMA, in its sole discretion, determines that the design of the grant program is flawed relative to program goals or agency priorities;
      iv. If DHS/FEMA, in its sole discretion, determines that the grant program is not aligned to either the DHS Strategic Plan, the FEMA Strategic Plan, or successor policies or documents;
      v. If DHS/FEMA, in its sole discretion, changes or re-evaluates the goals or priorities of the grant program and determines that the award will be ineffective at achieving the updated program goals or agency priorities; or
      vi. For other reasons based on program goals or agency priorities described in the termination notice provided to the recipient pursuant to 2 C.F.R. § 200.341.
      vii. If the awardee falls out of compliance with the Agency's statutory or regulatory authority, award terms and conditions, or other applicable laws.

3. Termination of a Subaward by the Pass-Through Entity

The pass-through entity may terminate a subaward in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

a. If the subrecipient fails to comply with the terms and conditions of the federal award.
b. With the consent of the subrecipient, in which case the pass-through entity and the subrecipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
c. If the pass-through entity's award has been terminated the pass-through recipient will terminate its subawards.

4. Termination by the Recipient or Subrecipient

The recipient or subrecipient may terminate the federal award in whole or in part for the following reason identified in 2 C.F.R. § 200.340: Upon sending FEMA or pass-through entity a written notification of the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if FEMA or the pass-through entity determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, FEMA or the pass-through entity may terminate the federal award in its entirety.

5. Impacts of Termination

a. When FEMA terminates the federal award prior to the end of the period of performance due to the recipient's material failure to comply with the terms and conditions of the federal award, FEMA will report the termination in SAM.gov in the manner described at 2 C.F.R. § 200.340(c).
b. When the federal award is terminated in part or its entirety, FEMA or the pass-through entity and the recipient or subrecipient remain responsible for compliance with the requirements in 2 C.F.R. §§ 200.344 and 200.345.

6. Notification requirements

FEMA or the pass-through entity must provide written notice of the termination in a manner consistent with 2 C.F.R. § 200.341. The federal award will be terminated on the date of the notification unless stated otherwise in the notification.

7. Opportunities to Object and Appeal

Where applicable, when FEMA terminates the federal award, the written notification of termination will provide the opportunity and describe the process, to object and provide information challenging the action, pursuant to 2 C.F.R. § 200.342.

8. Effects of Suspension and Termination

The allowability of costs to the recipient or subrecipient resulting from financial obligations incurred by the recipient or subrecipient during a suspension or after the termination of a federal award are subject to 2 C.F.R. § 200.343.

M. Best Practices

While not a requirement in the DHS Standard Terms and Conditions, as a best practice, entities receiving funds through this program should ensure that cybersecurity is integrated into the design, development, operation, and maintenance of investments that impact information technology (IT) and/ or operational technology (OT) systems. Additionally, "The recipient and subrecipient must … take reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information." 2 C.F.R. § 200.303(e).

N. Payment Information

Recipients will submit payment requests in FEMA GO for FY25 awards under this program.

Instructions to Grant Recipients Pursuing Payments

FEMA reviews all grant payments and obligations to ensure allowability in accordance with 2 C.F.R. § 200.305. These measures ensure funds are disbursed appropriately while continuing to support and prioritize communities who rely on FEMA for assistance. Once a recipient submits a payment request, FEMA will review the request. If FEMA approves a payment recipients will be notified by FEMA GO and the payment will be delivered pursuant to the recipients SAM.gov financial information. If FEMA disapproves a payment, FEMA will inform the recipient.

Processing and Payment Timeline

FEMA must comply with regulations governing payments to grant recipients. See 2 C.F.R. § 200.305. For grant recipients other than States, 2 C.F.R. § 200.305(b)(3) stipulates that FEMA is to make payments on a reimbursement basis within 30 days after receipt of the payment request, unless FEMA reasonably believes the request to be improper. For state recipients, 2 C.F.R. § 200.305(a) instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements ("Treasury-State agreement") and default procedures codified at 31 C.F.R. part 205 and Treasury Financial Manual (TFM) 4A-2000, "Overall Disbursing Rules for All Federal Agencies." *See* 2 C.F.R. § 200.305(a).

Treasury-State agreements generally apply to "major federal assistance programs" that are governed by 31 C.F.R. part 205, subpart A and are identified in the Treasury-State agreement. 31 C.F.R. §§ 205.2, 205.6. Where a federal assistance (grant) program is not governed by subpart A, payment and funds transfers from FEMA to the state are subject to 31 C.F.R. part 205, subpart B. Subpart B requires FEMA to "limit a funds transfer to a state to the minimum amounts needed by the state and must time the disbursement to be in accord with the actual, immediate cash requirements of the state in carrying out a federal assistance program or project. The timing and amount of funds transfers must be as close as is administratively feasible to a state's actual cash outlay for direct program costs and the proportionate share of any allowable indirect costs." 31 C.F.R. § 205.33(a). Nearly all FEMA grants are not "major federal assistance programs." As

a result, payments to states for those grants are subject to the "default" rules of 31 C.F.R. part 205, subpart B.

If additional information is needed, a request for information will be issued by FEMA to the recipient; recipients are strongly encouraged to respond to any additional FEMA request for information inquiries within three business days. If an adequate response is not received, the request may be denied, and the entity may need to submit a new reimbursement request; this will re-start the 30-day timeline.

Submission Process

All non-disaster grant program reimbursement requests must be reviewed and approved by FEMA prior to drawdowns.

For all non-disaster reimbursement requests (regardless of system), please ensure submittal of the following information:

1. Grant ID / Award Number
2. Total amount requested for drawdown
3. Purpose of drawdown and timeframe covered (must be within the award performance period)
4. Subrecipient Funding Details (if applicable).
   - Is funding provided directly or indirectly to a subrecipient?
     - If **no,** include statement "This grant funding is not being directed to a subrecipient."
   - If **yes**, provide the following details:
     - The name, mission statement, and purpose of each subrecipient receiving funds, along with the amount allocated and the specific role or activity being reimbursed.
     - Whether the subrecipient's work or mission involves supporting aliens, regardless of whether FEMA funds support such activities.
     - Whether the payment request includes an activity involving supporting aliens.
     - Whether the subrecipient has any diversity, equity, and inclusion practices.
5. Supporting documentation to demonstrate that expenses are allowable, allocable, reasonable, and necessary under 2 C.F.R. Part 200 and in compliance with the grant's NOFO, award terms, and applicable federal regulations.

O. Immigration Conditions

1. A recipient under this funding opportunity must comply with the FY 2025 Department of Homeland Security Standard Terms and Conditions, v. 3 (Apr. 18, 2025), with the exception Paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) and paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration). Paragraphs C.IX and C.XVII(2)(a)(iii) do not apply to any federal award under this funding opportunity. The FY 2025 Department of Homeland Security Standard Terms and Conditions, v. 3 (Apr. 18, 2025) are available at www.dhs.gov/publication/dhs-standard-terms-and-conditions.

2. Prohibition

a. The state or territorial recipient is prohibited from being designated by the Department of Homeland Security as a sanctuary jurisdiction. If the Department of Homeland Security designates a state or territory as a sanctuary jurisdiction after the Department of Homeland Security makes a grant award, the state or territorial recipient is prohibited from making any financial obligations under the grant award on or after the date of designation until the Department of Homeland Security removes that designation. The Department of Homeland Security will suspend that portion of the grant award supported by risk-based funding and not make payments to the state or territorial recipient on or after the date of designation until the Department of Homeland Security removes that designation. This term and condition applies to the funding provided under the relative risk methodology pursuant to Section 2007 of the *Homeland Security Act of 2002* (6 U.S.C. § 608) and does not apply to the minimum allocation to that state or territory required by Section 2004(e) of the *Homeland Security Act of 2002* (6 U.S.C. § 605(e)).

b. The state or territorial recipient is prohibited from making subawards to a local government that the Department of Homeland Security has designated as a sanctuary jurisdiction. If the Department of Homeland Security designates a local government as a sanctuary jurisdiction after the state or territorial recipient makes a subaward to that local government, the state or territorial recipient must suspend the subaward, the state or territorial recipient must not make any additional payments to the local government, and the local government is prohibited from making any financial obligations under the subaward on and after the date of designation until the Department of Homeland Security removes that designation. This term and condition applies to all funding provided to the state or territorial recipient, including both the statutory minimum as well as risk-based funding allocations.

c. The Department of Homeland Security designates a state, territory, or local government as a sanctuary jurisdiction if it fails to comply with that requirements set forth in paragraphs 2.a.i to v of this term and condition.

3. Certification

a. The state or territorial recipient and all local government subrecipients must certify under penalty of perjury pursuant to 28 U.S.C. § 1746, and using a form that is acceptable to the Department of Homeland Security, that they will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials:

i. They will comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with the Department of Homeland Security regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, state, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: (1) sending such information to, or requesting or

receiving such information from, Federal immigration officials; (2) maintaining such information; or (3) exchanging such information with any other Federal, state, or local government entity.

ii. They will comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes.

iii. They will honor requests for cooperation, such as participating in joint operations, sharing of information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance.

iv. They will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien.

v. They will not leak or otherwise publicize the existence of an immigration enforcement operation.

b. The state or territorial recipient must require a local government subrecipient to make the certification above before providing them with any funding under the subaward.

3. Materiality and Remedies for Noncompliance

This term and condition is material to the Department of Homeland Security's decision to continue with this grant award and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or a local government subrecipient fails to comply with this term and condition.

10. Other Information

A. Period of Performance Extension

Extensions to the period of performance are allowed.

Recipients should consult with their FEMA point of contact for requirements related to a performance period extension.

See the Preparedness Grants Manual for information on period of performance extension.

B. Other Information

a. *Environmental Planning and Historic Preservation (EHP) Compliance*

See the Preparedness Grants Manual for information on EHP compliance.

b. *Procurement Integrity*
See the Preparedness Grants Manual for information on procurement integrity.

c. *Financial Assistance Programs for Infrastructure*
1. Recipients and subrecipients must comply with FEMA's implementation requirements of 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, Buy America Preferences for Infrastructure Projects 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.

To see whether a particular FEMA federal financial assistance program is considered an infrastructure program and thus required to implement FEMA's Build America, Buy America requirements, please see Programs and Definitions: Build America, Buy America Act | FEMA.gov.

2. 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, or
- 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, or
- 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%.

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.

3. Definitions

For definitions of the key terms of the Build America, Buy America Act, please visit Programs and Definitions: Build America, Buy America Act | FEMA.gov.

d. *Mandatory Disclosures*
The non-Federal entity 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)

e. *Adaptive Support*
See the Preparedness Grants Manual for information on disability integration.

f. *Record Retention*
See the Preparedness Grants Manual for information on record retention.

g. *Actions to Address Noncompliance*
See the Preparedness Grants Manual for information on actions to address noncompliance.

h. *Audits*
See the Preparedness Grants Manual for information on audits.

11. Appendix A: HSGP Allocations

HSGP Programs	FY 2025 Allocation
SHSP	$373,500,000
OPSG	$ 81,000,000
Total	**$454,500,000**

A. SHSP Allocations
For FY 2025, DHS/FEMA will distribute SHSP funds based on their risk assessment methodology and legal minimums outlined in the *Homeland Security Act of 2002*, as amended. ***THIRA and SPR results do not affect how grant funds are allocated.***

Each state and territory will receive a guaranteed minimum amount:

- All 50 states, Washington, D.C., and Puerto Rico will receive at least 0.35% of the total funds available under Sections 2003 and 2004 of the Homeland Security Act.
- The four territories (American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands) will receive at least 0.08% of the total funds available under these sections.

States must include a separate IJ for the NPA focused on Enhancing Election Security (at least 3% minimum spend requirement) and Supporting Border Crisis Response and Enforcement (at least a 10% minimum spend requirement), but there is flexibility on the remaining 17% required to meet the overall 30% minimum spend requirement for the NPAs associated with the SHSP allocation.

These are target allocations pending final decisions by the Department of Homeland Security. These target allocations act as an estimate, and final allocations may be different in the award letter.

Fiscal Year State Homeland Security Grant Program Target Allocations

State/Territory	Fiscal Year 2025 Target Allocation	State/Territory	Fiscal Year 2025 Target Allocation
Alabama	$4,362,750	Montana	$4,362,750
Alaska	$4,362,750	Nebraska	$4,362,750
American Samoa	$997,200	Nevada	$4,362,750
Arizona	$4,362,750	New Hampshire	$4,362,750
Arkansas	$4,362,750	New Jersey	$6,367,357
California	$51,332,060	New Mexico	$4,362,750
Colorado	$4,362,750	New York	$61,229,940
Connecticut	$4,362,750	North Carolina	$4,576,849
Delaware	$4,362,750	North Dakota	$4,362,750

State/Territory	Fiscal Year 2025 Target Allocation	State/Territory	Fiscal Year 2025 Target Allocation
District of Columbia	$4,576,849	Northern Mariana Islands	$997,200
Florida	$8,409,514	Ohio	$5,571,852
Georgia	$4,759,790	Oklahoma	$4,362,750
Guam	$997,200	Oregon	$4,362,750
Hawaii	$4,362,750	Pennsylvania	$7,322,627
Idaho	$4,362,750	Puerto Rico	$4,362,750
Illinois	$12,505,419	Rhode Island	$4,362,750
Indiana	$4,362,750	South Carolina	$4,362,750
Iowa	$4,362,750	South Dakota	$4,362,750
Kansas	$4,362,750	Tennessee	$4,362,750
Kentucky	$4,362,750	Texas	$16,389,406
Louisiana	$4,362,750	U.S. Virgin Islands	$997,200
Maine	$4,362,750	Utah	$4,362,750
Maryland	$6,367,357	Vermont	$4,362,750
Massachusetts	$5,571,852	Virginia	$7,322,627
Michigan	$4,576,849	Washington	$5,571,852
Minnesota	$4,362,750	West Virginia	$4,362,750
Mississippi	$4,362,750	Wisconsin	$4,362,750
Missouri	$4,362,750	Wyoming	$4,362,750
Total			**$373,500,000**

B. OPSG Allocations

For FY 2025, DHS/FEMA will award OPSG funds based on two main factors: the risk to border security and the anticipated effectiveness of proposed projects. The OPSG risk assessment identifies potential threats to border security, guiding the distribution of funds to areas with the highest need. Eligible applicants are thelocal and tribal law enforcement agencies located along the U.S. borders.

For OPSG, "risk" refers to the potential for adverse outcomes, assessed by evaluating threats, vulnerabilities, and consequences associated with specific incidents or events. The risk model used to allocate OPSG funds considers the potential risk that certain threats pose to border security and estimates the relative risk faced by a given area. In evaluating threat, DHS/CBP considers intelligence, situational awareness, criminal trends, and statistical data specific to each of the border sectors, and the potential impacts that these threats pose to the security of the border area. For vulnerability and consequence, DHS/CBP considers the expected impact and consequences of successful border events occurring in specific areas. The effectiveness of proposed investments is evaluated based on the subrecipient’s investment strategy, budget, collaboration, and past performance.

These are target allocations pending final decisions by the Department of Homeland Security. These target allocations act as an estimate, and final allocations may be different in the award letter.

Fiscal Year 2025 Operation Stonegarden Eligible* Target Allocations

State/Territory	Fiscal Year 2025 Target Allocation	State/Territory	Fiscal Year 2025 Target Allocation
Alabama	$350,000	Montana	$1,672,000
Alaska	$750,000	Nebraska	$0
American Samoa	$0	Nevada	$0
Arizona	$12,220,000	New Hampshire	$200,000
Arkansas	$0	New Jersey	$0
California	$12,100,000	New Mexico	$2,675,000
Colorado	$0	New York	$2,670,000
Connecticut	$0	North Carolina	$0
Delaware	$0	North Dakota	$1,542,000
District of Columbia	$0	Northern Mariana Islands	$0
Florida	$2,790,000	Ohio	$825,000
Georgia	$90,000	Oklahoma	$0
Guam	$0	Oregon	$0
Hawaii	$0	Pennsylvania	$170,000
Idaho	$180,000	Puerto Rico	$1,330,000
Illinois	$0	Rhode Island	$0
Indiana	$0	South Carolina	$0
Iowa	$0	South Dakota	$0
Kansas	$0	Tennessee	$0
Kentucky	$0	Texas	$33,708,000
Louisiana	$810,000	U.S. Virgin Islands	$90,000
Maine	$1,410,000	Utah	$0
Maryland	$0	Vermont	$150,000
Massachusetts	$0	Virginia	$0
Michigan	$2,286,000	Washington	$1,435,000
Minnesota	$972,000	West Virginia	$0
Mississippi	$575,000	Wisconsin	$0
Missouri	$0	Wyoming	$0
Total			**$81,000,000**

Eligibility does not guarantee grant funding

12. Appendix B: Allowable Costs

A. Allowable Cost Matrix for SHSP and OPSG

The following matrix lists allowable cost activities across cost categories described above and below. The Preparedness Grants Manual includes additional information on allowable costs. Recipients and subrecipients must follow all applicable requirements in 2 C.F.R. Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. HSGP funds may be used to cover the costs for evaluating the impact of these grants on the state's core capabilities and capability gaps. This list is not exhaustive, therefore, if there are any questions regarding allowable costs, please contact the appropriate FEMA HQ Preparedness Officer.

Allowable Program Activities	SHSP	OPSG
Developing hazard/threat-specific annexes	Y	N
Developing and implementing homeland security support programs and adopting ongoing DHS/FEMA national initiatives	Y	N
Developing related terrorism and other catastrophic event prevention activities	Y	N
Developing and enhancing plans and protocols	Y	N
Developing or conducting assessments	Y	N
Hiring of full- or part-time staff or contract/consultants to assist with planning, engagement, and volunteer management activities	Y	N
Materials required to conduct planning, engagement, and volunteer management activities	Y	N
Travel/per diem related to planning, engagement, and volunteer management activities	Y	Y
Overtime and backfill costs (in accordance with operational Cost Guidance)	Y	Y
Issuance of Western Hemisphere Travel Initiative-compliant Tribal identification cards	Y	N
Activities to achieve planning inclusive of people with disabilities and others with access and functional needs and limited English proficiency.	Y	N
Coordination with Citizen Corps Councils for public information/education and development of volunteer programs	Y	N
Coordination and material support to Citizen Corps Councils and local firehouses for the establishment, training and maintenance of CERTs	Y	N
Update governance structures and processes and plans for emergency communications	Y	N
Development, and review and revision of continuity of operations plans	Y	N
Development, and review and revision of the THIRA/SPR and continuity of operations plans	Y	N
Program management	Y	N
Development of whole community partnerships	Y	N
Structures and mechanisms for information sharing between the public and private sector	Y	N
Implementing models, programs, and workforce enhancement initiatives	Y	N

Allowable Program Activities	SHSP	OPSG
Tools, resources, and activities that facilitate shared situational awareness between the public and private sectors	Y	N
Operational support	Y	N
Utilization of standardized resource management concepts	Y	N
Responding to an increase in the threat level under the National Terrorism Advisory System (NTAS), or needs in resulting from a National Special Security Event	Y	N
Reimbursement for select operational expenses associated with increased security measures at critical infrastructure sites incurred (up to 50% of the allocation)	Y	Y
Overtime for information, investigative, and intelligence sharing activities (up to 50% of the allocation)	Y	Y
Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation).	Y	Y
Hiring or maintaining staff positions/contractors/consultants at SLTT levels to deliver community preparedness training, resources and material to schools, community-based organizations, faith-based institutions and local businesses.	Y	N
Hiring or maintaining staff positions/contractors/consultants to create, support and maintain CERT or Teen CERT	Y	N
Cost of migrating online services to the ".gov" domain	Y	N
Personal Protective Equipment	Y	Y
Explosive Device Mitigation and Remediation Equipment	Y	N
CBRNE Operational Search and Rescue Equipment	Y	N
Information Technology	Y	Y
Cybersecurity Enhancement Equipment	Y	N
Interoperable Communications Equipment	Y	Y
Detection	Y	Y
Decontamination	Y	N
Medical countermeasures	Y	Y
Power (e.g., generators, batteries, power cells)	Y	Y
CBRNE Reference Materials	Y	N
CBRNE Incident Response Vehicles	Y	N
Terrorism Incident Prevention Equipment	Y	Y
Physical Security Enhancement Equipment	Y	Y
Inspection and Screening Systems	Y	Y
Animal Care and Foreign Animal Disease	Y	N
CBRNE Prevention and Response Watercraft	Y	N
CBRNE Prevention and Response Unmanned Aircraft	Y	N
CBRNE Aviation Equipment	Y	N
CBRNE Logistical Support Equipment	Y	N
Intervention Equipment (e.g., tactical entry, crime scene processing)	Y	Y
Critical emergency supplies	Y	N

Allowable Program Activities	SHSP	OPSG
General use vehicle acquisition, lease, and rental	N	Y
Specialized vehicle acquisition, lease, and rental	Y	Y
Other Authorized Equipment	Y	Y
Overtime and backfill for emergency preparedness and response personnel attending DHS/FEMA-sponsored and approved training classes	Y	N
Overtime and backfill expenses for part-time and volunteer emergency response personnel participating in DHS/FEMA training	Y	N
Training workshops and conferences	Y	Y
Activities to achieve training inclusive of people with disabilities and others with access and functional needs and limited English proficiency	Y	N
Full- or part-time staff or contractors/consultants	Y	Y
Travel	Y	Y
Supplies	Y	N
Instructor certification/re-certification	Y	N
Coordination with Citizen Corps Councils and CERT in conducting training exercises	Y	N
Preparedness training for community preparedness initiatives and programs	Y	N
Interoperable communications training	Y	N
Activities to achieve planning inclusive of people with limited English proficiency	Y	N
Immigration enforcement training	Y	Y
Design, Develop, Conduct, and Evaluate an Exercise	Y	N
Full- or part-time staff or contractors/consultants	Y	N
Overtime and backfill costs, including expenses for part-time and volunteer emergency response personnel participating in DHS/FEMA exercises	Y	N
Implementation of Homeland Security Exercise and Evaluation Program (HSEEP)	Y	N
Activities to achieve exercises inclusive of people with disabilities and others with access and functional needs	Y	N
Travel	Y	N
Supplies	Y	N
Interoperable communications exercises	Y	N
Activities to achieve planning inclusive of people with limited English proficiency	Y	N
Hiring of full- or part-time staff or contractors/consultants to assist with the management of the respective grant program, application requirements, and compliance with reporting and data collection requirements	Y	Y
Development of operating plans for information collection and processing necessary to respond to DHS/FEMA data calls	Y	Y
Overtime and backfill costs	Y	Y

Allowable Program Activities	SHSP	OPSG
Travel	Y	Y
Meeting related expenses	Y	Y
Authorized office equipment	Y	Y
Recurring expenses such as those associated with cell phones and faxes during the period of performance of the grant program	Y	N
Leasing or renting of space for newly hired personnel during the period of performance of the grant program	Y	N
Completing the Civil Rights Evaluation Tool	Y	Y
Conducting activities related to evaluating project effectiveness for HSGP-funded projects	Y	Y
Integration and interoperability of systems and data, such as computer aided dispatch (CAD) and record management systems (RMS), to facilitate the collection	Y	N
Maturation, enhancement, and sustainment of designated state fusion centers, including information sharing and analysis, threat recognition, terrorist interdiction, and intelligence analyst training and salaries (subject to certain conditions)	Y	N
Regional counterterrorism training programs for small, medium, and large jurisdictions to exchange information and discuss the current threat environment, lessons learned, and best practices to help prevent, protect against, and mitigate acts of terrorism	Y	N
Coordination of regional full-scale training exercises (federal, state, and local law enforcement participation) focused on terrorism-related events	Y	N
Law enforcement Chemical, Biological, Radiological, Nuclear, and high yield Explosives detection and response capabilities, such as bomb detection/disposal capability development, sustainment, or enhancement, including canine teams, robotics platforms, and x-ray technology	Y	N
Coordination between fusion centers and other operational analytic, and investigative efforts	Y	N
Implementation, maintenance, and sustainment of the Nationwide Suspicious Activity Reporting Initiative	Y	N
Implementation of the "If You See Something, Say Something®" campaign	Y	N
Increase physical security, through law enforcement personnel and other protective measures, by implementing preventive and protective measures at critical infrastructure locations	Y	N

B. SHSP Other Direct Costs

Recipients must comply with all the requirements in 2 C.F.R. Part 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*). In general, recipients should consult with their FEMA HQ Preparedness Officer prior to making any investment that does not clearly meet the allowable expense criteria. Funding guidelines established within this section support four of the five mission areas—Prevention, Protection, Mitigation, and Response—and associated core capabilities within the Goal. While Recovery is part of the Goal, it is not explicitly part of the HSGP. Allowable investments made in support of

the national priorities, as well as other capability-enhancing projects must have a nexus to terrorism preparedness and fall into the categories of planning, organization, exercises, training, or equipment, aligned to building capability, closing capability gaps, and/or sustaining capabilities, as defined by CPG 201: THIRA/SPR Guide—3rd Edition (Comprehensive Preparedness Guide (CPG) 201, 3rd Edition (fema.gov)). Recipients are encouraged to use grant funds for evaluating grant-funded project effectiveness and return on investment. FEMA encourages recipients to provide the results of that analysis to FEMA.

a. *Planning*

SHSP funds may be used for a range of emergency preparedness and management planning activities, such as those associated with the development, review, and revision of the THIRA, SPR, continuity plans, and other planning activities that support the Goal and placing an emphasis on updating and maintaining a current Emergency Operations Plan (EOP) that conforms to the guidelines outlined in Comprehensive Preparedness Guide (CPG) 101 v3. Planning efforts can also include conducting risk and resilience assessments on increasingly connected cyber and physical systems, on which security depends, using the Infrastructure Resilience Planning Framework and related CISA resources.

Additionally, SHSP funds may be used for planning efforts related to state court cybersecurity, 911 call capabilities, alert and warning capabilities, and implementation of the REAL ID Act (Pub. L. No. 109-13).

b. *Organization*

Organization costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

States must justify proposed expenditures of SHSP funds to support organization activities within their IJ submission. Organizational activities include:

1. Program management;
2. Development of whole community partnerships, through groups such as Citizen Corp Councils;
3. Structures and mechanisms for information sharing between the public and private sector;
4. Implementing models, programs, and workforce enhancement initiatives to address ideologically inspired radicalization to violence in the homeland;
5. Tools, resources, and activities that facilitate shared situational awareness between the public and private sectors;
6. Operational Support;
7. Utilization of standardized resource management concepts such as typing, inventorying, organizing, and tracking to facilitate the dispatch, deployment, and recovery of resources before, during, and after an incident;
8. Responding to an increase in the threat level under the NTAS or needs resulting from a National Special Security Event;
9. Paying salaries and benefits for personnel to serve as qualified Intelligence Analysts. Per the *Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act (PRICE Act)*, Pub. L. No. 110-412, § 2, codified in relevant part, as amended, at 6 U.S.C. § 609(a), SHSP funds may be used to hire new staff and/or

contractor positions to serve as intelligence analysts to enable information/intelligence sharing capabilities, as well as support existing intelligence analysts previously covered by SHSP funding. *See* 6 U.S.C. § 609(a). To be hired as an intelligence analyst, staff and/or contractor personnel must meet at least one of the following criteria:

- Complete training to ensure baseline proficiency in intelligence analysis and production within six months of being hired; and/or,
- Previously served as an intelligence analyst for a minimum of two years either in a federal intelligence agency, the military, or state and/or local law enforcement intelligence unit.

10. All fusion center analytical personnel must demonstrate qualifications that meet or exceed competencies identified in the Common Competencies for state, local, and tribal intelligence analysts, which outlines the minimum categories of training needed for intelligence analysts. A certificate of completion of such training must be on file with the SAA and must be made available to the recipient's respective FEMA HQ Preparedness Officer upon request; and
11. Migrating online services to the ".gov" internet domain.

All SAAs are allowed to use up to 50% of their SHSP funding for personnel costs per 6 U.S.C. § 609(b)(2)(A). Personnel hiring, overtime, and backfill expenses are permitted under this grant only to the extent that such expenses are for the allowable activities within the scope of the grant. Personnel expenses may include, but are not limited to training and exercise coordinators, program managers and planners, intelligence analysts, and SWICs.

At the request of a recipient, the FEMA Administrator (or their designee) may grant a waiver of this 50% limitation under 6 U.S.C. § 609(b)(2)(B). Requests for waivers to the personnel cap must be submitted by the authorized representative of the SAA to FEMA in writing on official letterhead, with the following information:

1. Documentation explaining why the cap should be waived;
2. Conditions under which the request is being submitted; and
3. A budget and method of calculation of personnel costs both in percentages of the grant award and in total dollar amount.

Please see IB 421b, Clarification on the Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008 (Public L. No. 110–412 – the PRICE Act), dated October 30, 2019, for additional information on the waiver request process.

c. *Equipment*

Equipment costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

The 21 allowable prevention, protection, mitigation, and response equipment categories for HSGP are listed on the Authorized Equipment List (AEL). Some equipment items require prior approval from FEMA before obligation or purchase of the items. Please reference the grant notes for each equipment item to ensure prior approval is not required or to ensure prior approval is obtained if necessary. Recipients and subrecipients may purchase equipment not listed on the AEL, but **only** if they first seek and obtain **prior approval** from FEMA.

Unless otherwise stated, all equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, recipients will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment. Investments in emergency communications systems and equipment must meet applicable SAFECOM Guidance on Emergency Communications Grants (SAFECOM Guidance) recommendations. Such investments must be coordinated with the SWIC and the State Interoperability Governing Body to ensure interoperability and long-term compatibility. For personal protective equipment (PPE), recipients are encouraged to give procurement preference to domestic manufacturers of PPE or PPE raw materials to the maximum practicable and allowed by law.

Grant funds may be used for the procurement of medical countermeasures. Procurement of medical countermeasures must be conducted in collaboration with state, city, or local health departments that administer federal funds from the Department of Health and Human Services for this purpose and with existing Metropolitan Medical Response System committees where available, to sustain their long-term planning for appropriate, rapid, and local medical countermeasures, including antibiotics and antidotes for nerve agents, cyanide, and other toxins. Procurement must have a sound threat-based justification with an aim to reduce the consequences of mass casualty incidents during the first crucial hours of a response. Prior to procuring pharmaceuticals, recipients must have in place an inventory management plan to avoid large periodic variations in supplies due to coinciding purchase and expiration dates. Recipients are encouraged to enter into rotational procurement agreements with vendors and distributors. Purchases of pharmaceuticals must include a budget for the disposal of expired drugs within each fiscal year's Period of Performance (POP) for HSGP. The cost of disposal cannot be carried over to another FEMA grant or grant period.

EMS electronic patient care data systems should comply with the most current data standard of the National Emergency Medical Services Information System.

Recipients are reminded that school hardening is an eligible activity under SHSP. School hardening measures include but are not limited to:

1. Bullet resistant doors and glass;
2. Hinge-locking mechanisms;
3. Immediate notification to emergency 911 systems;
4. Mechanisms that provide real time actionable intelligence directly to law enforcement and first responders;
5. Installation of distraction devices or other countermeasures administered by law enforcement; and
6. Other measures determined to provide significant improvements to schools' physical security.

Additionally, SHSP funds may be used for equipment purchases related to state court cybersecurity, 911 call capabilities, alert and warning capabilities, and implementation of the REAL ID Act (Pub. L. No. 109-13).

sUAS and critical emergency supply costs are allowable under this program. See the Preparedness Grants Manual for more information.

1. General Purpose Equipment

HSGP allows expenditures on general purpose equipment if it aligns to and supports one or more core capabilities identified in the Goal and has a nexus to terrorism preparedness. General purpose equipment, like all equipment funded under the HSGP, must be sharable through the EMAC[4] and allowable under 6 U.S.C. § 609, and any other applicable provision of the *Homeland Security Act of 2002*, as amended. Examples of such general-purpose equipment may include:

- Law enforcement/general use vehicles (OPSG only);
- Emergency medical services equipment and vehicles;
- Fire service equipment and vehicles, to include hose, pump accessories, and foam concentrate for specialized chemical/biological/radiological/nuclear/explosive (CBRNE) response;
- Interoperability of data systems, such as CAD and RMS; and
- Office equipment for staff[5] engaged in homeland security program activity.

2. Controlled Equipment

For decades, the federal government has provided equipment to state, local, and tribal LEAs through federal grants. Some federal grant programs have assisted LEAs as they carry out their critical missions to keep the American people safe. The equipment acquired by LEAs through these programs includes administrative equipment, such as office furniture and computers. Some federal grant programs also may include military and military-styled equipment, firearms, and tactical vehicles provided by the federal government, including property covered under 22 C.F.R. Part 121 and 15 C.F.R. Part 774 (collectively, "controlled equipment").

However, not all equipment that is considered controlled equipment is allowable under the HSGP. Grant funds under this program may not be used for the purchase of equipment not approved by DHS/FEMA. For example, the purchase of tracked armored vehicles, camouflage uniforms, weapons, and weapons accessories, including ammunition, is generally not allowed with HSGP funds.

DHS/FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on certain equipment expenditures while continuing to support these investments when there is a justifiable need. Further, DHS/FEMA will continue to maintain an awareness of the evolving policy developments related to certain equipment expenditures and keep grant recipients up to date on future developments.

[4] Except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time.
[5] This applies to all homeland security personnel and is not limited to M&A staff, and costs are to be captured outside the cap on M&A costs.

For additional information on controlled equipment, see IB # 530 Guidance to Recipients and Subrecipients of FEMA's Non-Disaster Preparedness Grants Policy on Prohibited and Controlled Equipment Policy Recission.

3. Construction and Renovation

Construction and renovation costs to achieve capability targets related to preventing, preparing for, protecting against, or responding to acts of terrorism are allowed under this program. For construction and renovation costs to be allowed, they must be specifically approved by DHS/FEMA in writing prior to the use of any program funds. Limits on the total amount of grant funding that may be used for construction or renovation may apply. Additionally, recipients are required to submit SF-424C and SF-424D.

All proposed construction and renovation activities must undergo an EHP review, including approval of the review from FEMA, prior to undertaking any action related to the project. Failure of a grant recipient to meet these requirements may jeopardize Federal funding. Please see the Preparedness Grants Manual for more information.

d. *Training and Exercises*

Training and exercise costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual. Recipients are encouraged to consider tuition-free courses offered by FEMA first, before investing in training. For more information and a catalog of courses please refer to the National Preparedness Course Catalog at the National Training and Education Division (NTED).

Allowable training-related costs under HSGP include the establishment, support, conduct, and attendance of training specifically identified under the SHSP program and/or in conjunction with emergency preparedness training by other federal agencies (e.g., HHS and Department of Transportation [DOT]). Training conducted using HSGP funds should address a performance gap identified through an Integrated Preparedness Plan (IPP) or other assessments (e.g., National Emergency Communications Plan Goal Assessments) and contribute to building a capability that will be evaluated through a formal exercise. When developing new courses, recipients are encouraged to apply the Analysis, Design, Development, Implementation, and Evaluation model of instructional design.

1. Law Enforcement Readiness

SHSP grant funds may be requested and may be approved on a case-by-case basis for immigration enforcement training in support of the border security mission. Requests for training will be evaluated on a case-by-case basis and can only be used for certification in the section 287(g) program provided by DHS/ICE. SHSP subrecipients with agreements under section 287(g) of the *Immigration and Nationality Act* (INA) (8 U.S.C. § 1357(g)) to receive delegated authority for immigration enforcement within their jurisdictions may also be reimbursed for section 287(g) related operational activities with approval from FEMA on a case-by-case basis.

e. *Maintenance and Sustainment*

Maintenance and sustainment related costs are allowed under this program only as described in the Preparedness Grants Manual.

f. *Travel*

Domestic travel costs are allowed under this program, as provided for in this NOFO. International travel is not an allowable cost under this program unless approved in advance by DHS/FEMA. See the Allowable Cost Matrix above for more information on allowable travel activities under SHSP.

g. *Personnel*

Personnel hiring, overtime, and backfill expenses are permitted under this grant to perform allowable HSGP planning, organization, training, exercise, and equipment activities. All recipients and subrecipients of HSGP funds, including SHSP allocations, may not use more than 50% of their awards to pay for personnel activities unless a waiver is approved by FEMA. For more information on the 50% personnel cap, please see FEMA IB 421b, Clarification on the *Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008* (Pub. L. No. 110-412) – the PRICE Act.

HSGP funds may not be used to support the hiring of any personnel to fulfill traditional public health and safety duties nor to supplant traditional public health and safety positions and responsibilities. The following definitions apply to personnel costs:

- **Hiring**. State and local entities may use grant funding to cover the salary of newly hired personnel who are exclusively undertaking allowable FEMA grant activities as specified in this guidance. This may not include new personnel who are hired to fulfill any non-FEMA program activities under any circumstances. Hiring will always result in a net increase of Full Time Equivalent (FTE) employees.
- **Overtime**. These expenses are limited to the additional costs that result from personnel working over and above 40 hours of weekly work time as the direct result of their performance of FEMA-approved activities specified in this guidance. Overtime associated with any other activity is not eligible.
- **Backfill-Related Overtime**. Also called "Overtime as Backfill," these expenses are limited to overtime costs that result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to FEMA-approved activities outside their core responsibilities. Neither overtime nor backfill expenses are the result of an increase of FTE employees.
- **Supplanting**. Grant funds will be used to supplement existing funds and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or recipients may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

1. Operational Overtime Costs

In support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism and other catastrophic events, operational overtime costs are allowable for increased protective security measures at critical infrastructure sites or other high-risk locations and to

enhance public safety during mass gatherings and high-profile events. In that regard, HSGP recipients are urged to consider using grant funding to support soft target preparedness activities. SHSP funds may be used to support select operational expenses associated with increased security measures in the authorized categories cited in the table below, but this table is not exhaustive. FEMA retains the discretion to approve other types of requests that do not fit within one of the categories of the table.

Authorized Operational Overtime Categories

	Category	Description
1	**National Terrorism Advisory System (NTAS)**	Security measures in response to an increase in the threat level under the NTAS to an "elevated" or "imminent" alert status. FEMA Information Bulletin No. 367, Impact of National Terrorism Advisory System on Homeland Security Grant Programs, remains applicable; therefore, advance authorization from FEMA is not required. Refer to National Terrorism Advisory System | Homeland Security (dhs.gov) for additional information on the NTAS.
2	**National Security Special Event (NSSE)**	Security measures for a designated NSSE. NSSEs are events of national or international significance deemed by DHS to be a potential target for terrorism or other criminal activity.
3	**Special Event Assessment Rating (SEAR) Level 1 through Level 4 Events**	Security measures required for SEAR Level 1 through Level 4 events as designated by DHS and included in the DHS National Special Events List, as defined below: • SEAR 1: A significant event with national and/or international importance that may require extensive federal interagency support. • SEAR 2: A significant event with national and/or international importance that may require some level of federal interagency support. • SEAR 3: An event of national and/or international importance that requires only limited federal support. • SEAR 4: An event with limited national importance that is managed at state and local level. NOTE: In cases where a threat of terrorism can be associated with a SEAR Level 5 event, the event planners should coordinate with their state or territory Homeland Security Advisor to seek re-adjudication of the SEAR rating. Operational overtime for security measures associated with such events will be considered for approval by FEMA if re-adjudication results in a SEAR 1 through 4 rating.
4	**States of Emergency**	Declarations of states of emergency by the Governor associated with a terrorism-related threat or incident. This excludes Presidentially declared major disasters or emergencies where

	Category	Description
		federal funding support for the proposed grant-funded activity is made available through the FEMA Public Assistance program or other federal disaster grants.
5	**National Critical Infrastructure Prioritization Program (NCIPP)**	Protection of Level 1 and Level 2 facilities identified through DHS's NCIPP based on a terrorism-related threat to critical infrastructure.
6	**Directed Transit Patrols**	Targeted security patrols in airports and major transit hubs based on a terrorism-related threat to transportation systems.
7	**Other Related Personnel Overtime Costs**	Overtime costs may be authorized for personnel assigned to directly support any of the security activities relating to the categories above. Examples include firefighters and emergency medical services personnel; public works employees who may be responsible for installing protective barriers and fencing; public safety personnel assigned to assist with event access and crowd control; emergency communications specialists; backfill and overtime for staffing state fusion centers; state Active Duty National Guard deployments to protect critical infrastructure sites, including all resources that are part of the standard National Guard deployment package (note: consumable costs, such as fuel expenses, are not allowed except as part of the standard National Guard deployment package); contract security services for critical infrastructure sites; participation in Regional Resiliency Assessment Program activities, increased border security activities in coordination with USBP, etc.
8	**Operational Support to a Federal Agency**	Overtime costs are allowable for personnel to participate in information, investigative, and intelligence sharing activities related to homeland security/terrorism preparedness and specifically requested by a federal agency. Allowable costs are limited to overtime associated with federally requested participation in eligible activities, including anti-terrorism task forces, Joint Terrorism Task Forces (JTTFs), Area Maritime Security Committees (as required by the *Maritime Transportation Security Act of 2002*), DHS Border Enforcement Security Task Forces, and Integrated Border Enforcement Teams. In addition, reimbursement for operational overtime law enforcement activities related to combating transnational crime organizations in support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism is an allowable expense under SHSP on a case-by-case basis. Grant funding can only be used in proportion to the federal man-hour estimate and only after funding for these activities from

	Category	Description
		other federal sources (i.e., FBI JTTF payments to state and local agencies) has been exhausted.
9	**Response to Catastrophic Incidents that are Acts of Terrorism**	Operational overtime is allowable for responding to acts of terrorism. This includes overtime accrued during the immediate response to events, such as mass casualty acts of targeted violence or other activities where the act (i) is dangerous to human life or potentially destructive of critical infrastructure or key resources; and (ii) is a violation of the criminal laws of the United States or of any State or other subdivision of the United States, and the act appears to be intended to coerce civilian populations, influence the policy of a government by intimidation or coercion, or affect the conduct of a government by mass destructions, assassination, or kidnapping.

All allowable operational overtime costs are also subject to the administration requirements outlined in the following subsection.

2. Administration of Operational Overtime Requests

- Except for an elevated NTAS alert, SHSP funds may only be spent for operational overtime costs upon prior written approval by FEMA. The SAA must submit operational overtime requests in writing to its assigned FEMA HQ Preparedness Officer. FEMA will consider requests for special event activities up to one year in advance. However such requests must be within the award's current POP and must not result in the need for a request to extend the period of performance. SAAs should contact FEMA Grants News 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, for clarification.
- All operational overtime requests must clearly explain how the request meets the criteria of one or more of the categories listed in the table above. Requests must address the threat environment as it relates to the event or activity requiring operational overtime support and explain how the overtime activity is responsive to the threat. Request letters sent to FEMA must be UNCLASSIFIED but may be labeled "For Official Use Only." If explaining the threat will require the sharing of classified information, the letter should state that fact. FEMA will then plan for the sharing of classified information through official channels;
- Post-event operational overtime requests will only be considered on a case-by-case basis, where it is demonstrated that exigent circumstances prevented submission of a request in advance of the event or activity;
- Under no circumstances may FEMA grant funding be used to pay for costs already supported by funding from another federal source; and
- FEMA will consult and coordinate with appropriate DHS components as necessary to verify information used to support operational overtime requests.

h. ***Secure Identification***
Secure identification costs are allowed under this program. SHSP funds may be used to support the implementation activities associated with the Western Hemisphere Travel Initiative (WHTI), including the issuance of WHTI-compliant tribal identification cards.

i. ***Multiple Purpose or Dual-Use of Funds***
Please see the Preparedness Grants Manual for information on multiple purpose of dual-use of funds under HSGP.

C. OPSG Other Direct Costs
Recipients must comply with all the requirements in 2 C.F.R. Part 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*). In general, recipients should consult with their FEMA HQ Preparedness Officer prior to making any investment that does not clearly meet the allowable expense criteria. Funding guidelines established within this section support four of the five mission areas—Prevention, Protection, Mitigation, and Response—and associated core capabilities within the Goal. While Recovery is part of the Goal, it is not explicitly part of the HSGP. Allowable investments made in support of the national priorities, as well as other capability-enhancing projects must have a nexus to terrorism preparedness and fall into the categories of planning, organization, exercises, training, or equipment, aligned to building capability, closing capability gaps, and/or sustaining capabilities, as defined by CPG 201: THIRA/SPR Guide—3rd Edition (Comprehensive Preparedness Guide (CPG) 201, 3rd Edition (fema.gov)). Recipients are encouraged to use grant funds for evaluating grant-funded project effectiveness and return on investment. FEMA encourages recipients to provide the results of that analysis to FEMA.

a. ***Planning***
Planning costs are allowed under this program only as described in this funding notice. See the Allowable Cost Matrix above for more information on allowable planning activities for OPSG.

b. ***Organization***
Organization costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual. See the Allowable Cost Matrix above for more information on allowable organizational activities for OPSG.

c. ***Equipment***
Equipment costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

OPSG equipment is intended to be incidental to the enhanced border security operations being performed. The grant is not intended to be used to outfit or supply general equipment to SLTT law enforcement agencies. Equipment must be relatable to and justified by the operational benefit it will provide. Each appropriate OPSG sector coordinator is required to keep an inventory of OPSG purchased equipment that includes at a minimum: 1) grant funding year; 2) purchase amount; 3) purchase date; 4) purchase quantity; 5) equipment ID; 6) source of funding for the property, including the Federal Award Identification Number; 7) who holds title to the property; 8) federal share percent of the property; 9) location of the property; 10) use and condition of the property; 11) disposal date; and 12) brief disposal justification information and

sale price if sold. Each Operations Order/FRAGO will require that each friendly force submit the equipment inventory for each Operations Order/FRAGO submission.

1. **Equipment Marking**. Because equipment purchased with OPSG funding is intended to be used to support OPSG activities, it **may** be appropriately marked to ensure its ready identification and primary use for that purpose. **When practicable**, any equipment purchased with OPSG funding **should** be prominently marked as follows: **"Purchased with DHS funds for Operation Stonegarden Use."**
2. **Fuel Cost and Mileage Reimbursement.** There is no cap for reimbursement of fuel or mileage costs in support of operational activities. Subrecipients and friendly forces may not claim reimbursements for both mileage and fuel/maintenance for the same equipment at the same time.
3. **Vehicle and Equipment Acquisition, Including Leasing and Rentals**. Allowable purchases under OPSG include patrol vehicles and other mission-specific equipment whose primary purpose is to increase operational capabilities on or near a border nexus in support of approved border security operations. A detailed justification must be submitted to the respective FEMA HQ Preparedness Officer prior to purchase.
4. **Medical Emergency Countermeasures.** Allowable purchases under OPSG include narcotic antagonist pharmaceuticals, detection and identification equipment, safe storage and transportation, personnel protective equipment, and initial equipment training, as reflected in the AEL.

1. Requirements for sUAS

sUAS are allowable under the HSGP. See the Preparedness Grants Manual for more information.

2. General Purpose Equipment

HSGP allows expenditures on general purpose equipment if it aligns to and supports one or more core capabilities identified in the Goal and has a nexus to terrorism preparedness. General purpose equipment, like all equipment funded under the HSGP, must be sharable through the EMAC[6] and allowable under 6 U.S.C. § 609, and any other applicable provision of the *Homeland Security Act of 2002*, as amended. Examples of such general-purpose equipment may include:

- Law enforcement/general use vehicles (OPSG only);
- Emergency medical services equipment and vehicles;
- Fire service equipment and vehicles, to include hose, pump accessories, and foam concentrate for specialized chemical/biological/radiological/nuclear/explosive (CBRNE) response;
- Interoperability of data systems, such as CAD and RMS; and
- Office equipment for staff[7] engaged in homeland security program activity.

[6] Except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time.
[7] This applies to all homeland security personnel and is not limited to M&A staff, and costs are to be captured outside the cap on M&A costs.

3. Controlled Equipment

For decades, the federal government has provided equipment to state, local, and tribal LEAs through federal grants. Some federal grant programs have assisted LEAs as they carry out their critical missions to keep the American people safe. The equipment acquired by LEAs through these programs includes administrative equipment, such as office furniture and computers. Some federal grant programs also may include military and military-styled equipment, firearms, and tactical vehicles provided by the federal government, including property covered under 22 C.F.R. Part 121 and 15 C.F.R. Part 774 (collectively, "controlled equipment").

However, not all equipment that is considered controlled equipment is allowable under the HSGP. Grant funds under this program may not be used for the purchase of equipment not approved by DHS/FEMA. For example, the purchase of tracked armored vehicles, camouflage uniforms, weapons, and weapons accessories, including ammunition, is generally not allowed with HSGP funds.

DHS/FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on certain equipment expenditures while continuing to support these investments when there is a justifiable need. Further, DHS/FEMA will continue to maintain an awareness of the evolving policy developments related to certain equipment expenditures and keep grant recipients up to date on future developments.

4. Construction and Renovation

OPSG funds may not be used for any construction.

d. *Training and Exercises*

Training and exercise costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual (e.g., related to EHP compliance). Recipients are encouraged to consider tuition-free courses offered by FEMA first, before investing in training. For more information and a catalog of courses please refer to the National Preparedness Course Catalog at NTED.

1. Law Enforcement Readiness

OPSG grant funds may be used to increase operational, material, and technological readiness of SLTT law enforcement agencies. The Delegation of Immigration Authority, Section 287(g) of the *Immigration and Nationality Act (INA)* program allows a state or local law enforcement entity to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), to receive delegated authority for immigration enforcement within their jurisdictions.

OPSG grant funds may be requested and may be approved on a case-by-case basis for immigration enforcement training in support of the border security mission. Requests for training will be evaluated on a case-by-case basis and can only be used for certification in the section 287(g) program provided by DHS/ICE. OPSG subrecipients with agreements under section 287(g) of the *INA* (8 U.S.C. § 1357(g)) to receive delegated authority for immigration

enforcement within their jurisdictions may also be reimbursed for section 287(g) related operational activities with approval from FEMA on a case-by-case basis. For OPSG, subrecipients must be authorized by USBP Headquarters and Sectors, and operational activities must be coordinated through a USBP Sector.

e. *Maintenance and Sustainment*
Maintenance and sustainment related costs are allowed under this program only as described in the Preparedness Grants Manual.

f. *Travel*
Domestic travel costs are allowed under this program, as provided for in this NOFO and in the Preparedness Grants Manual. International travel is not an allowable cost under this program unless approved in advance by DHS/FEMA. See the Allowable Cost Matrix in Appendix B for more information on allowable travel activities under OPSG.

g. *Personnel*
Personnel hiring, overtime, and backfill expenses are permitted under this grant to perform allowable HSGP planning, organization, training, exercise, and equipment activities. Under OPSG, overtime costs are allowable only in so far as they meet the intent of the program. All recipients and subrecipients of HSGP funds, including OPSG allocations, may not use more than 50% of their awards to pay for personnel activities unless a waiver is approved by FEMA. For more information on the 50% personnel cap, please see FEMA IB 421b, *Clarification on the Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008* (Pub. L. No. 110-412 – the PRICE Act).

Further, changes in scope or objective also require FEMA's prior written approval pursuant to 2 C.F.R. § 200.308(c)(1). If the cost changes are allowable under the grant, a FRAGO must be submitted to Homeland Security Information Network (HSIN) to obtain FEMA's prior written approval of such changes in accordance with 2 C.F.R. § 200.308(c)(1). These modifications will be annotated in the annex section of the FRAGO.

OPSG funds may be used for domestic travel and *per diem*, including costs associated with the deployment/redeployment of personnel to border areas and for travel associated with law enforcement entities assisting other local jurisdictions in law enforcement activities. In addition, allowable costs include supporting up to six-month deployment of law enforcement personnel to critical Southwest Border locations for operational activities (travel costs must be in accordance with applicable travel regulations).

OPSG funds may be used to pay additional current part-time law enforcement personnel salaries to bring them to temporary full-time status. OPSG funds may support a Governor's request to activate, deploy, or redeploy specialized National Guard Units/Package and/or elements of state law enforcement serving as friendly forces to increase or augment specialized/technical law enforcement elements' operational activities. Costs associated with backfill for personnel supporting operational activities are allowable.

As with all OPSG personnel costs, OPSG grant funds will be used to supplement existing funds

and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or recipients may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

1. Operational Overtime Costs

OPSG funds should be used for operational overtime costs associated with law enforcement activities in support of border law enforcement agencies for enhanced border security. Overtime pay is for increased patrol time for certified public safety officers, along with limited support for other law enforcement direct support personnel (e.g., Communication Officers/Dispatchers, non-sworn patrol pilots, etc.). Overtime shall be reimbursed consistent with the non-federal entity's overtime policy and the requirements as stated below:

- Overtime is time worked that exceeds the required number of hours during an employee's designated shift;
- Overtime must be worked to increase patrol capacity and be in support of identified and approved USBP border security operations;
- The OPSG overtime hourly rate of pay will be no more than the approved overtime rate per local law and policy and must be in accordance with applicable state and federal regulations;
- All overtime expenses under OPSG must be reasonable for the services rendered and conform to the non-federal entity's established written policy, which must apply to both federally funded and non-federally funded activities and comply with the other applicable requirements under 2 C.F.R. §§ 200.430-200.431; and
- The non-federal entity may not utilize OPSG funding to pay for an employee's overtime hours or pay that exceeds 16-hours worked in any 24-hour period.

2. Intelligence Support

Per 6 U.S.C. § 609(a), OPSG funds may, as applicable and operationally beneficial, be used to pay salaries and benefits or overtime for personnel to serve as qualified Intelligence Analysts to enable and enhance information/intelligence sharing capabilities, as well as support existing intelligence analysts previously covered by OPSG funding. Qualified OPSG-funded intelligence analysts can be assigned to an applicable law enforcement facility/intelligence function as long as information/intelligence sharing is maintained. To serve as an OPSG-funded intelligence analyst, personnel must meet at least one of the following criteria:

- Complete training to ensure baseline proficiency in intelligence analysis and production within six months of being hired; and/or,
- Previously served as an intelligence analyst for a minimum of two years either in a federal intelligence agency, the military, or state and/or local law enforcement intelligence unit.

OPSG-funded intelligence analysts must demonstrate qualifications that meet or exceed competencies identified in the Common Competencies for state, local, and tribal intelligence analysts, which outlines the minimum categories of training needed for intelligence analysts. A certificate of completion of such training must be on file with the SAA and must be made

available to the recipient's respective FEMA HQ Preparedness Officer upon request.

h. *Regional Border Projects*

Recipients are encouraged to prioritize the acquisition and development of regional projects on the borders to maximize interoperability and coordination capabilities among federal agencies and with state, local, and tribal law enforcement partners. Such regional projects include:

1. Communications equipment;
2. Radio systems and repeaters;
3. Integration with regional intelligence and information sharing effort (i.e., fusion centers):
    - Intelligence analysts.
4. Situational Awareness equipment:
    - License Plate Reader Networks;
    - Visual detection and surveillance systems;
    - Sensor Systems;
    - Radar Systems (for air and/or marine incursions); and
    - Aircraft systems (manned or unmanned).

i. *Transportation Costs and Costs Related to the Provision of Acute Medical Care*

Vehicle, fuel, mileage, operational overtime, and other types of costs otherwise allowable under an OPSG award's HSGP NOFO are allowable where the costs are in support of the necessary transportation of individuals interdicted while carrying out allowable OPSG-funded activities or operations from the point of interdiction to an applicable law enforcement facility.

When transporting individuals interdicted in the course of carrying out allowable OPSG-funded activities or operations from the point of interdiction, non-Federal entities may charge vehicle, fuel, mileage, operational overtime, and other types of costs otherwise allowable under an OPSG award's HSGP NOFO associated with necessary transportation to provide acute medical care for individuals being transported from the point of interdiction. In such cases, non-Federal entities may also charge operational overtime for personnel that monitor a detained individual receiving acute medical care where the individual remains in the custody of the non-Federal law enforcement agency. Costs incurred beyond the acute phase of medical care (e.g., upon admission to the hospital, or after transfer from an acute care facility to the hospital) and costs incurred once the custodial responsibility of the individual is transferred to CBP are not allowable under OPSG.

Costs described above are allowable regardless of what entity or agency initially makes the interdiction. Personnel costs incurred by non-Federal law enforcement agencies eligible under OPSG (including deputies, corrections officers, or detention officers) for costs described above are allowable.

j. *Temporary or Term Appointments*

Temporary or term appointments are allowable under an OPSG award, so long as they comply with the following:

1. Subrecipients may utilize temporary or term appointments to augment the law enforcement presence on the borders. However, applying funds toward hiring full-time or permanent sworn public safety officers is unallowable;

2. OPSG-funded temporary or term appointments may not exceed the approved period of performance:
   - For OPSG purposes, temporary appointments are non-status appointments for less than one year; and
   - For OPSG purposes, term appointments are non-status appointments for one year, extendable for one year as necessary.
3. OPSG funding for temporary or term appointments may pay for salary only. Benefits are not allowable expenses for term or temporary employees;
4. OPSG remains a non-hiring program. Appropriate uses of temporary or term appointments include:
   - To carry out specific enforcement operations work for ongoing OPSG-funded patrols throughout the Sector Area of Operation;
   - To staff operations of limited duration, such as OPSG-enhanced enforcement patrols targeting specific locations or criminal activity; and
   - To fill OPSG positions in activities undergoing transition or personnel shortages and local backfill policies (medical/military deployments).
5. OPSG term and temporary appointments must have all necessary certifications and training to enforce state and local laws. OPSG funds will not be used to train or certify term or temporary appointments except as otherwise stated in this NOFO and the Preparedness Grants Manual; and
6. FEMA provides no guarantee of funding for temporary or term appointments. In addition to the terms of this NOFO, subrecipients must follow their own applicable policies and procedures regarding temporary or term appointments.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 3

U.S. Dep't of Homeland Sec., *Notice of Funding Opportunity (NOFO): Fiscal Year 2025 Homeland Security Grant Program* (July 28, 2025 Version 2)

The Department of Homeland Security (DHS)

Notice of Funding Opportunity (NOFO)

Fiscal Year 2025 Homeland Security Grant Program

Fraud, waste, abuse, mismanagement, and other criminal or noncriminal misconduct related to this program may be reported 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.

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1. Basic Information

A. Agency Name	U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA)
B. NOFO Title	Fiscal Year 2025 Homeland Security Grant Program (HSGP) • State Homeland Security Grant Program (SHSP) • Operation Stonegarden (OPSG)
C. Announcement Type	Initial
D. Funding Opportunity Number	DHS-25-GPD-067-00-98
E. Assistance Listing Number	97.067
F. Expected Total Funding	$454,500,000 See Appendix A for the FY 2025 HSGP funding allocation tables.
G. Anticipated Number of Awards	56 awards
H. Expected Award Range	SHSP: $997,200 – $61,229,940 OPSG: $0 or $200,000 – $33,708,000
I. Projected Application Start Date	07/28/2025 08:00 a.m. Eastern Time (ET)
J. Projected Application End Date	08/11/2025 05:00 p.m. Eastern Time (ET)
K. Anticipated Funding Selection Date	No later than August 23, 2025
L. Anticipated Award Date	No later than September 30, 2025
M. Projected Period of Performance Start Date	09/01/2025
N. Projected Period of Performance End Date	08/31/2028
O. Executive Summary	HSGP strengthens the nation's capacity to prevent, prepare for, protect against, and respond to acts of terrorism and other catastrophic events through the following two components: • SHSP: Supports the implementation of risk-driven, capabilities-based State Homeland Security Strategies to address capability targets.

	• OPSG: Enhances cooperation and coordination among state, local, tribal, territorial, and federal law enforcement agencies to jointly enhance security along the United States land and water borders.
P. Agency Contact	**a. *Program Office Contact*** FEMA has assigned Preparedness Officers to each state for the HSGP. If you are unsure who your Preparedness Officer is, please contact FEMA Grants News by phone at (800) 368-6498 or by email at fema-grants-news@fema.dhs.gov, Monday through Friday, 9:00 AM – 5:00 PM ET. **b. *FEMA Grants News*** 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. FEMA Grants News Team is reachable at fema-grants-news@fema.dhs.gov. OR (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET. **c. *Grant Programs Directorate's (GPD) Award Administration Division*** GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. AAD can be contacted at ASK-GMD@fema.dhs.gov. **d. *FEMA Regional Offices*** FEMA Regional Offices also may provide fiscal support, including pre- and post-award administration and technical assistance. FEMA Regional Office contact information is available at https://www.fema.gov/fema-regional-contacts. **e. *Civil Rights*** Consistent with Executive Order 14173, *Ending Illegal Discrimination & Restoring Merit-Based Opportunity*, the FEMA Office of Civil Rights is responsible for ensuring compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA. They are reachable at FEMA-CivilRightsOffice@fema.dhs.gov. **f. *Environmental Planning and Historic Preservation*** The FEMA Office of Environmental Planning and Historic Preservation (OEHP) provides guidance and information about the EHP review process to FEMA programs and recipients and subrecipients. Send any inquiries regarding compliance for FEMA grant projects under this NOFO to FEMA-OEHP-NOFOQuestions@fema.dhs.gov.

	g. *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. *FEMA Preparedness Toolkit*** The FEMA Preparedness Toolkit (PrepToolkit) provides access to tools and resources needed to implement the National Preparedness System and provide a collaborative space for communities completing the Unified Reporting Tool (URT). Recipients complete and submit their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR), and other required assessments using the PrepToolkit. For assistance, contact support@preptoolkit.fema.dhs.gov. **i. *Preparedness Grants Manual*** Recipients seeking guidance on policies and procedures for managing preparedness grants should reference the Preparedness Grants Manual at Preparedness Grants Manual.

2. Eligibility

A. Eligible Entities/Entity Types	Only the following entities or entity types are eligible to apply. **a. *Applicants*** 1. Eligible Applicants The State Administrative Agency (SAA) is the only entity eligible to submit HSGP applications to DHS/FEMA. HSGP funds are provided to SAAs, which manage and distribute the funds within their respective states or territories. SAAs issue subawards to local governments and other eligible organizations, ensuring that resources reach areas that need them to enhance security and disaster response. For this funding opportunity, the term "state" includes all U.S. states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Tribal governments are not eligible to apply directly for HSGP funding but may receive funding through their state's SAA. **b**. ***Subapplicant*** SAAs distribute HSGP funds through subawards to other state, local, or tribal organizations. These organizations, called subrecipients, use the funds to improve local and regional security efforts. Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be

	properly vetted and must adhere to all government statutes, policies, and procedures including "staff American, stay in America" and security requirements. 1. Subrecipient Eligibility Under HSGP, FEMA provides funds to each state's SAA. The SAA distributes these funds to other state or local organizations, such as city agencies or county departments. These distributed funds are called subawards, and the organizations receiving them are referred to as subrecipients. • SHSP: All U.S. states and territories listed above are eligible. Tribal governments must work through their state's SAA. • OPSG: Eligible subrecipients include county-level or equivalent governments and federally recognized tribal governments in states bordering Canada or Mexico, or those with international water borders. Applicants must have active U.S. Border Patrol operations coordinated with a U.S. Customs and Border Protection sector office to qualify. OPSG subrecipients are divided into three tiers based on their location: o Tier 1 includes counties or tribal governments directly on the land borders with Canada and Mexico, or those located directly on physical borders with Canada, Mexico, or along international water borders. o Tier 2 includes counties or tribal governments next to Tier 1 locations. o Tier 3 includes counties or tribal governments next to Tier 2 locations. The tier structure is only applicable with regard to eligibility. OPSG funding allocations are based on the assessed border security risks as determined by the U.S. Border Patrol. ***c. All Recipients - Compliance with Federal Immigration Laws*** An immigration term and condition may be material to the Department of Homeland Security's decision to make this grant award, and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or any local government subrecipient fails to comply with this term and condition. No final agency determination has been made as of the date of this publication 2. Reducing Subapplicant Burden

	For FY 2025, each SAA is strongly encouraged to re-evaluate its process for collecting and evaluating subaward applications. FEMA encourages each SAA to minimize the type and quantity of information that it collects as part of the subaward application process, in order to decrease the overall financial and time burden associated with applying for subawards under this grant program. Each SAA should review its subaward application and reduce or eliminate the request for any information that is not needed for legal, financial, or oversight purposes. For more details on eligibility requirements or restrictions to subawards/subrecipients, please see the Preparedness Grants Manual.
B. Project Type Eligibility	**a. *Unallowable Project Types*** See Section 3.F "Program-Specific Unallowable Costs" and 7.A.b "Ineligible Projects" for more information on unallowable project types. **b. *Allowable Project Types*** Allowable costs for SHSP and OPSG generally fall into five main categories: planning, organization, equipment, training, and exercises (POETE). All projects funded under SHSP must demonstrate a clear connection to building capabilities that prevent, prepare for, protect against, or respond to acts of terrorism. Please see Appendix 12.B: Allowable Costs for more information on allowable costs. If there are questions about specific experiences, contact your FEMA Preparedness Officer.
C. Requirements for Personnel, Partners, and Other Parties	An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not: 1. ***A current employee, official, or leader*** of the recipient organization; and 2. ***Authorized to apply*** for the award on behalf of the entity at the time of submission. Additionally, the **Authorized Organization Representative (AOR)** must: 1. Be a current authorized employee, official, or leader of the recipient organization. 2. Use a unique email address associated with the recipient organization at the time of application and upon any change in assignment during the period of performance.

	Consultants or contractors are not permitted to serve as the AOR of the recipient organization. For more information on the roles and responsibilities of the AOR, refer to FEMA's guidance on Roles and Permissions. Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statutes, policies, and procedures including "staff American, stay in America" and security requirements. Subapplicants/subrecipients must submit short bios and resumes. This should include the type of entity, organizational leadership, and board members along with both the names and addresses of the individuals. Resumes are subject to approval.
D. Maximum Number of Applications	The maximum number of applications that can be submitted is: 1. One per SAA
E. Additional Restrictions	Applicants/subapplicants or recipients/subrecipients are required to certify their compliance with federal statutes, DHS directives, policies, and procedures. Under HSGP, there are specific funding guidelines / requirements for allocating funds: **a.** ***Pass-Through Requirements*** Awards made to the SAA for HSGP carry additional statutorily mandated pass-through requirements. Pass-through is defined as an obligation on the part of the SAA to make funds available to local units of government, combinations of local units, tribal governments, or other specific groups or organizations as defined at 6 U.S.C. § 101(13). **b.** ***National Priority Areas (NPAs) Minimum Spend Requirements*** Requires that SHSP recipients allocate at least 30% of their funds between the five NPAs. The five NPAs, along with the relevant minimum spend percentage, are: • Enhancing the Protection of Soft Targets/Crowded Places: No minimum spend. • Supporting Homeland Security Task Forces and Fusion Centers: No minimum spend. • Enhancing Cybersecurity: No minimum spend. • Enhancing Election Security: At least 3% of the total allocation must be dedicated to this area. • Supporting Border Crisis Response and Enforcement: At least 10% of the total allocation must be dedicated to this area.

	c. ***Law Enforcement Terrorism Prevention Activities (LETPA)*** 1. **Legal Requirement**: Per section 2006 of the *Homeland Security Act* of 2002 (codified as amended at 6 U.S.C. § 607(a)) DHS/FEMA is required to ensure that at least 25% of grant funding under HSGP is used for LETPA. 2. **FY 2025 Update:** DHS/FEMA has maintained this requirement at the FY 2024 level, mandating at least 35% HSGP funds are used for LETPA. 3. **Recipient Obligations:** • The requirement can be fulfilled by funding projects across any of the five NPAs or other investments that meet the LETPA criteria. **Additional Guidance:** Information Bulletin (IB) 485 includes the most up-to-date information on project selection considerations and allowable activities for LETPA investments and compliments IB 473. Both IBs are applicable to the FY 2025 HSGP NOFO. For comprehensive LETPA requirements, refer to the Law Enforcement Terrorism Prevention Activities Resource Guide. For more information on funding restrictions, refer to General Funding Requirements.
F. References for Eligibility Factors within the NOFO	Please see the following references provided below: 1. "Responsiveness Review Criteria" subsection 2. "Financial Integrity Criteria" subsection 3. "Supplemental Financial Integrity Criteria and Review" subsection 4. FEMA may/will request financial information such as Employer Identification Number (EIN) and bank information as part of the potential award selection. This will apply to everyone proposed, including subrecipients.
G. Cost Sharing Requirement	There is no cost share requirement.
H. Cost Share Description, Type and Restrictions	Not applicable.
I. Cost Sharing Calculation Example	Not applicable.
J. Required information for verifying Cost Share	Not applicable.

3. Program Description

A. Background, Program Purpose, and Program History

Background

HSGP includes two key grant programs designed to enhance the capabilities of state, local, tribal, and territorial governments, as well as nonprofits, in preventing, protecting against, and responding to terrorist attacks. These programs are part of a comprehensive set of measures authorized by Congress and implemented by the Department of Homeland Security (DHS) to strengthen the nation's communities against potential terrorist threats.

In FY 2025, HSGP continues to include two key grant programs:

- SHSP: Supports the implementation of risk-driven, capabilities-based State Homeland Security Strategies to address capability targets.
- OPSG: Enhances cooperation and coordination among state, local, tribal, territorial, and federal law enforcement agencies to jointly enhance security along the United States land and water borders.

These programs collectively aim to strengthen the nation's ability to prevent, prepare for, protect against, and respond to acts of terrorism and other threats.

Program Purpose and History

Since its inception in 2003, HSGP has significantly enhanced the nation's preparedness. HSGP addresses evolving threats such as cybersecurity vulnerabilities and the protection of soft targets and crowded places. It represents a comprehensive approach to national security, fostering collaboration across all levels of government and within communities to build a safer, more resilient nation. Through planning, training, equipment procurement, and exercises, the program ensures jurisdictions are prepared for a wide range of risks.

In recent years:

- Funding priorities have evolved to include cybersecurity, election security, and countering emerging national security threats.
- Key accomplishments include the development of interoperable communication systems, emergency response training, and investment in physical and cybersecurity measures.
- The program emphasizes strategic investments to address identified capability gaps, requiring alignment with Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR).

This support equips various jurisdictions with the necessary tools and resources to effectively manage and mitigate a wide range of threats and hazards, aligning with FEMA's goal of building a secure and resilient nation.

B. Goals and Objectives

As HSGP is comprised of two different grant programs, this section is divided into SHSP and OPSG, each with its own focus and goals. SHSP aims to strengthen the ability of states to prevent, prepare for, protect against, and respond to acts of terrorism and other hazards. OPSG, on the other hand, remains unique to border security, and focuses on improving cooperation between local, tribal, state, and federal law enforcement to secure America's international borders. These programs work together to build a secure and resilient nation, giving communities the tools and resources they need to handle various threats and emergencies effectively.

a. *SHSP Goal*
The goal of SHSP is to **support statewide and state, local, tribal, and territorial (SLTT) governments** in building, enhancing, and sustaining the capabilities needed to prevent, prepare for, protect against, and respond to acts of terrorism. SHSP funding is intended to help SLTT agencies address capability gaps identified through the THIRA/SPR process, as well as prioritize resources toward high-impact security focus areas, known as NPAs.

SHSP aims to build a cohesive and collaborative approach to homeland security by promoting national preparedness and resilience.

b. *SHSP Objectives*
SHSP provides resources that support eligible SLTT governments in meeting the following objectives:

- Build and sustain core capabilities, including LETPA and the NPAs (see priorities below);
- Address capability gaps identified in their THIRA and SPR process; and
- Implement a comprehensive and coordinated approach to address enduring security needs of communities that includes planning, training and awareness campaigns, equipment and capital projects, and exercises.

c. *SHSP Funding Priorities and Requirements*
HSGP establishes specific funding requirements to ensure resources are allocated effectively and address critical national priorities.

1. Law Enforcement Terrorism Prevention Activities (LETPA)

- Description: LETPA are initiatives funded through HSGP aimed at enhancing law enforcement's ability to prevent terrorist attacks. These activities focus on building and sustaining capabilities in areas such as intelligence analysis, information sharing, threat recognition, and terrorist interdiction.
- Allocation Requirement: At least 35% of total HSGP funds must be allocated to LETPA-related activities.
- Project Alignment: LETPA funds can be applied to projects across the five NPAs or other investments that meet LETPA criteria.
- Additional Guidance: For detailed guidance on allowable LETPA expenditures and requirements, refer to FEMA's Preparedness Grants Manual and Information Bulletin 485 and Information Bulletin 497.

2. National Priority Areas (NPAs)

- Description: FY 2025 HSGP aligns with the Administration's priorities by directing resources toward the most urgent threats facing the Nation. Through the State Homeland Security Program (SHSP), HSGP supports the development and sustainment of core capabilities essential to achieving the National Preparedness Goal (NPG): "A secure and resilient Nation."

  To ensure strategic focus, DHS has identified five NPAs that reflect the evolving risk landscape and national policy objectives. These priorities serve as a framework for targeting investments that build capability, reduce risk, and promote cross-sector coordination.

  The FY 2025 NPAs are:

  1. Enhancing the protection of soft targets and crowded places,
     - This includes faith-based organizations and election sites;
  2. Supporting Homeland Security Task Forces and fusion centers;
  3. Enhancing and integrating cybersecurity resiliency;
  4. Enhancing election security; and
  5. Border Crisis Response and Enforcement Support.
     - Example activities under border crisis response and enforcement support may include:
       1. Participation in the Department of Homeland Security/Immigration and Customs Enforcement 287(g) training program;
       2. Cooperation with Immigration and Customs Enforcement detainers; and
       3. Other jurisdictional responsibilities to support the enforcement of United States immigration law.

  These NPAs are rooted in the core mission areas of the NPG—prevention, protection, mitigation, and response—, and reflect a whole-of-government approach to homeland security. Applicants should use these priorities to guide planning, investment, and implementation to drive measurable outcomes and long-term resilience.

- Allocation Requirement:
  Recipients must allocate at least 30% of their SHSP funds to the five NPAs. Funds can be applied to projects across the five NPAs and can be used to meet LETPA criteria. By meticulously outlining how each investment and project meets LETPA and NPA requirements within the Investment Justifications (IJ), applicants can enhance the effectiveness and compliance of their funding proposals.

- Minimum Spend:
  - Enhancing Election Security requires at least 3% of total SHSP funds.
  - Supporting Border Crisis Response and Enforcement requires at least 10% of total SHSP funds.

- The remaining 17% can be allocated across the other NPAs.

Failure to meet NPA spending requirements will result in a hold on affected funds until compliance issues are resolved.

Priority Areas	Description	Minimum Allocation Requirement
Enhancing the Protection of Soft Targets/Crowded Places	Improving security at locations accessible to the public and vulnerable to attacks.	No minimum allocation
Supporting Homeland Security Task Forces and Fusion Centers	Promoting coordination of activities and critical information sharing and analysis to prevent and respond to threats.	No minimum allocation
Enhancing Cybersecurity	Strengthening the protection of computer systems and networks against cyber threats.	No minimum allocation
Enhancing Election Security	Ensuring the integrity and security of voting systems.	At least 3% of the total SHSP allocation must be dedicated to this area
Supporting Border Crisis Response and Enforcement	Supporting collaboration between state and local law enforcement and U.S. Immigration and Customs Enforcement (ICE) through the 287(g) program to identify and remove individuals who pose a threat to public safety and national security.	At least 10% of the total SHSP allocation must be dedicated to this area

States are encouraged to review the Strategic Framework for Countering Terrorism and Targeted Violence when developing investments.

- **NPA Investments: SHSP**
  - **Soft Targets/Crowded Places (no minimum percent)**
    Soft targets and crowded places, like parks, shopping centers, transportation hubs, and event venues, are increasingly appealing to terrorists because of their accessibility and the large gatherings. These areas often lack strict security measures, making them vulnerable. To address this, public and private sectors must collaborate to strengthen the security of locations such as transportation centers, restaurants, polling places, and similar facilities. Personnel responding to incidents at these sites should also be trained in key operational systems, such as the Incident Command System (ICS), to ensure effective on-scene incident management.

    In addition, the malicious use of unmanned aircraft systems (i.e., drones) poses safety and security risks to soft targets and crowded places. Detecting drones is an allowable use of funds under the HSGP in accordance with Executive Order 14305, *Restoring American Airspace Sovereignty*, which allows the purchase of unmanned aircraft systems (UAS) or equipment or services for the detection, tracking, or identification

of drones and drone signals, and FEMA Information Bulletin 530. Before purchasing and deploying these systems, as outlined EO 14305, recipients must:

- **Consult FEMA and Legal Experts:** Work with FEMA's Preparedness Officer and legal experts to ensure your policies and procedures comply with federal and state laws regarding surveillance and communication.
- **Develop Standard Operating Procedures (SOPs):** Establish clear guidelines to ensure operations are conducted in a manner consistent with First and Fourth Amendment protections, and other applicable provisions of federal law.
- **Provide Training and Certification:** Ensure personnel operating UAS systems are properly trained and certified, in accordance with FEMA and Federal Aviation Administration standards.

Applicants are encouraged to submit an investment related to protecting soft targets/crowded places. The proposed investment will be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments. States are encouraged to engage DHS' Protective Security Advisors for security assessments of soft targets to ensure that recommendations from those assessments are taken into consideration when allocating grant funding.

Additional Resources
Further guidance and resources for securing soft targets and crowded places can be found through the Cybersecurity and Infrastructure Security Agency (CISA) and the National Institute of Standards and Technology). For comprehensive compliance and operational details, refer to FEMA's Preparedness Grants Manual and related program documents.

- **Supporting Homeland Security Task Forces and Fusion Centers (no minimum percent)**
  This priority supports the Administration's direction under Executive Order 14159, *Protecting the American People Against Invasion*, which calls for the establishment of Homeland Security Task Forces (HSTFs) nationwide. These multi-agency teams—composed of federal and local law enforcement partners—are tasked with disrupting and dismantling transnational criminal organizations, targeting cross-border human smuggling and trafficking networks (especially those involving children), and using all appropriate law enforcement tools to support lawful immigration enforcement.

  Activities under this NPA also enhance broader national efforts in:

  - Counterterrorism
  - Cybersecurity
  - Border security
  - Immigration enforcement
  - Transnational organized crime
  - Protection of economic and critical infrastructure

  Allowable Costs:

Applicants may use grant funds for:

- Establishing or enhancing multi-agency HSTFS, including operational coordination centers
- Enhancing capabilities and integration with local fusion centers
- Procurement of technology or equipment to support surveillance, communications, and data analysis
- Development of standard operating procedures for information sharing, joint operations, and immigration enforcement coordination
- Personnel training, credentialing, and certification to improve interoperability and mission alignment
- Intelligence analysis, reporting, and suspicious activity monitoring
- Exercises and simulations focused on joint operations, intelligence sharing, or interdiction/disruption of criminal or smuggling networks
- Community engagement efforts to foster trust and encourage threat reporting

Fusion Center Requirements: While there is no minimum spending requirement for this NPA, applicants must include at least one dedicated fusion center project under this priority. Applicants must clearly justify how their project will enhance information sharing, collaboration, and a culture of national preparedness. DHS/FEMA will evaluate these investments based on their effectiveness and alignment with program objectives. Please see the Preparedness Grants Manual for more information on fusion center performance measures.

Additional resources and information regarding collaboration and information sharing are also available through the Department's Office of Intelligence and Analysis.

- **Cybersecurity (no minimum percent)**
  In today's interconnected world, increased connectivity brings greater risks, including the potential for adversaries and terrorists to exploit cyber vulnerabilities and disrupt critical systems. While not mandatory, applicants are encouraged to submit proposals for ongoing or high-priority cybersecurity projects. DHS/FEMA will evaluate these investments based on their effectiveness.

  Cybersecurity investments should enhance the security and functioning of critical infrastructure and core capabilities related to preventing, preparing for, protecting against, or responding to acts of terrorism.

  Additional resources and information regarding cybersecurity and cybersecurity performance goals are available through the Cybersecurity and Infrastructure Security Agency, Cross-Sector Cybersecurity Performance Goals | CISA, and the National Institute of Standards and Technology.

- **Election Security (3% minimum allocation)**
  In January 2017, DHS designated the infrastructure used to administer the Nation's elections as critical infrastructure. This designation recognizes that the United States'

election infrastructure is of such vital importance to the American way of life that its incapacitation or destruction would have a devastating effect on the country. Additionally, the Homeland Threat Assessment 2024 indicates that electoral processes remain an attractive target for many adversaries.

Securing election infrastructure, ensuring its continued operation in the face of threats and harassment, advancing the safety of election officials, and protecting against foreign interference are national security priorities. Because threats to election systems are constantly evolving, defending these systems requires constant vigilance, innovation, and adaptation. By integrating the directives of Executive Order 14248, *Preserving and Protection the Integrity of American Elections*, into the Election Security NPA, HSGP recipients can ensure that their efforts contribute to a secure, transparent, and resilient electoral process, thereby reinforcing public trust and the integrity of democratic institutions.

To address these priorities, each state must make at least one (1) investment that supports physical and/or cyber election security. Proposed investments must meet or exceed the FY 2025 national priority percentage for election security (minimum 3%) and will be evaluated by DHS/FEMA for effectiveness and alignment with program goals.

To further strengthen election integrity, jurisdictions must:

- Prioritize compliance with the Voluntary Voting System Guidelines (VVSG) 2.0 established by the U.S. Election Assistance Commission;
- Complete testing through a Voting System Test Laboratory (VSTL) accredited by the Commission;[1]
- Utilize the U.S. Citizenship and Immigration Services' Systematic Alien Verification Entitlements (SAVE) system to verify that anyone working at a polling place in any capacity is a U.S. citizen.
- Demonstrate proof of compliance before accessing the full HSGP award—3% of the award will be withheld from drawdown until compliance is confirmed.

Additional resources and information regarding election security are available through the Cybersecurity and Infrastructure Security Agency.

Supporting Border Crisis Response and Enforcement (10% minimum allocation)
State and local law enforcement agencies are essential partners in safeguarding national security and public safety. Pursuant to Executive Order 14159, *Protecting the American People Against Invasion*, it is the policy of the United States to enforce immigration laws against all inadmissible and removable aliens—particularly those who threaten the safety or security of the American

[1] Exec. Order No. 14,248, Preserving and Protecting the Integrity of American Elections, 90 Fed. Reg. 14,005 (Mar. 25, 2025).

people. This includes the efficient execution of these laws through lawful incentives and enhanced detention capabilities.

This NPA supports efforts that align with this policy and promote cooperation between local and federal partners. Projects may include, but are not limited to:

- Participation in the DHS/ICE 287(g) program, allowing trained local officers to support ICE with immigration enforcement;
- Cooperation with ICE detainers and other jurisdictional responsibilities related to immigration enforcement; and
- Supportive activities such as officer training, technology and information sharing, operational support, and community engagement.

At least one (1) investment must support efforts under this NPA. Applicants must allocate at least 10% of total SHSP funds to this area. All investments will be reviewed by DHS/FEMA to ensure they are effective, lawful, and aligned with program goals. The SAA must coordinate with ICE on all projects and related matters. Additional guidance and information on the 287(g) program is available through the ICE 287(g) program website.

d. *Other FY 2025 SHSP Funding Priorities*

There are several enduring security needs that crosscut the homeland security enterprise to which recipients should consider allocating funding across core capability gaps and national priorities. The following are enduring needs that help recipients implement a comprehensive approach to securing communities:

- Effective planning;[2]
- Training and awareness campaigns;
- Equipment and capital projects; and
- Exercises.

The table below provides a breakdown of the FY 2025 SHSP priorities showing the core capabilities enhanced and lifelines supported, as well as examples of eligible project types for each area. More information on allowable investments can be found in Appendix 12.B and in the Preparedness Grants Manual (FM-207-23-001).

DHS/FEMA expects that national priorities will continue to be included in future years, evolving as threats change and capability gaps are addressed. Applicants are strongly encouraged to start planning now to sustain existing capabilities using funding sources other than DHS preparedness grants.

[2] Including assessment of critical infrastructure system vulnerabilities and plans to reduce consequences of disruptions, using the Infrastructure Resilience Planning Framework and Regional Resiliency Assessment Methodology produced by the Cybersecurity and Infrastructure Security Agency.

Projects listed in the table below may be useful in preparing for disasters unrelated to terrorism, as long as they also support the primary goals of preventing, preparing for, protecting against, or responding to acts of terrorism.

Example Project Types

All priorities in this table concern the Safety and Security Lifelines.

Priority Areas	Core Capabilities	Example Project Types
National Priorities		

Enhancing the Protection of Soft Targets/ Crowded Places (Securing Public Gathering Locations)	• Operational coordination
	• Public information and warning
	• Intelligence and information sharing
	• Interdiction and disruption
	• Screening, search, and detection
	• Access control and identity verification
	• Physical protective measures
	• Risk management for protection programs and activities
		• Operational overtime. For more information on operational overtime, see Appendix 12.B of this NOFO.
		• Physical security enhancements
		  ○ Security cameras (closed-circuit television [CCTV])
		  ○ Security screening equipment for people and baggage
		  ○ Lighting
		  ○ Access controls
		  ○ Fencing, gates, barriers, etc.
		• UAS and detection technologies

Enhancing Cybersecurity	• Cybersecurity
	• Intelligence and information sharing
	• Planning
	• Public information and warning
	• Operational coordination
	• Screening, search, and detection
	• Access control and identity verification
	• Supply chain integrity and security
	• Risk management for protection programs and activities
	• Long-term vulnerability reduction
	• Situational assessment
	• Infrastructure systems
	• Operational communications
		• Cybersecurity risk assessments
		• Migrating online services to the ".gov" internet domain
		• Projects that address vulnerabilities identified in cybersecurity risk assessments
		  ○ Improving cybersecurity of critical infrastructure to meet minimum levels identified by the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology Cybersecurity Framework (Version 1.1)
		  ○ Adoption of cybersecurity performance goals (CISA's Cross-Sector Cybersecurity Performance Goals)
		• Cybersecurity training, planning, and exercises

Supporting Homeland Security Task Forces and Fusion Centers	• Intelligence and information sharing • Interdiction and disruption • Public information and warning	• Establishing or enhancing multi-agency Homeland Security Task Forces (HSTFs), including operational coordination centers • Enhancing capabilities and integration with local fusion centers

Priority Areas	Core Capabilities	Example Project Types
	• Operational coordination • Risk management for protection programs and activities	• Procurement of technology or equipment to support surveillance, communications, and data analysis • Development of standard operating procedures for information sharing, joint operations, and immigration enforcement coordination • Personnel training, credentialing, and certification to improve interoperability and mission alignment • Intelligence analysis, reporting, and suspicious activity monitoring • Exercises and simulations focused on joint operations, intelligence sharing, or interdiction/disruption of criminal or smuggling networks • Community engagement efforts to foster trust and encourage threat reporting • Information sharing with all DHS components; fusion centers; other operational, investigative, and analytic entities; and other federal law enforcement and intelligence entities • Cooperation with DHS and other entities in intelligence, threat recognition, assessment, analysis, and mitigation • Identification, assessment, and reporting of threats of violence • Intelligence analysis training, planning, and exercises • Coordinating the intake, triage, analysis, and reporting of tips/ leads and suspicious activity, to include coordination with the Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI)
Enhancing Election Security	• Cybersecurity • Intelligence and information sharing • Planning • Long-term vulnerability reduction • Situational assessment • Infrastructure systems • Operational coordination • Community resilience	• Prioritize compliance with the VVSG 2.0 established by the U.S. Election Assistance Commission • Complete testing through a VSTL accredited by the U.S. Election Assistance Commission • Physical security planning and exercise support • Physical/site security measures – e.g., locks, shatter proof glass, alarms, access controls, etc. • General election security navigator support • Cyber and general election security navigator support • Cybersecurity risk assessments, training, and planning • Projects that address vulnerabilities identified in cybersecurity risk assessments • Iterative backups, encrypted backups, network segmentation, software to monitor/scan, and endpoint protection • Distributed Denial of Service protection • Migrating online services to the ".gov" internet domain • Online harassment and targeting prevention services

Priority Areas	Core Capabilities	Example Project Types
		• Public awareness/preparedness campaigns discussing election security and integrity measures • Long-term vulnerability reduction and community resilience
Supporting Border Crisis Response and Enforcement	• Training and awareness • Community resilience • Operational coordination • Risk management for protection programs and activities	• Staffing support to expand 287(g) screening operations within correctional facilities • Operational overtime costs directly tied to 287(g) screening, processing, and enforcement activities • Training programs for state and local law enforcement officers in immigration law, civil rights protections, and 287(g) procedures • Development or enhancement of information-sharing platforms between ICE and local agencies • Procurement of screening, detection, and communications technology to support immigration enforcement activities • Establishing secure and dedicated communication networks with ICE Field Offices • Conducting joint training exercises with ICE and local law enforcement to test operational coordination • Support for facilities upgrades, such as creating dedicated interview rooms and secure processing spaces • Community engagement and public briefings to promote transparency and understanding of 287(g) operations and protections
Enduring Needs		

Planning	• Planning
	• Risk management for protection programs and activities
	• Risk and disaster resilience assessment
	• Threats and hazards identification
	• Operational coordination
	• Community resilience
		• Development of:
		  ○ Security Risk Management Plans
		  ○ Threat Mitigation Plans
		  ○ Continuity of Operations Plans
		  ○ Response Plans
		  ○ Vulnerability Assessments
		• Efforts to strengthen governance integration between/among regional partners
		• Joint training and planning with DHS officials and other entities designated by DHS
		• Cybersecurity training and planning

Training and Awareness	• Long-term vulnerability reduction • Public information and warning • Operational coordination • Situational assessment • Community resilience	• Active shooter training • Intelligence analyst training • SAR and terrorism indicators/behaviors training • Security training for employees • Public awareness/preparedness campaigns • Cybersecurity training and planning • Sharing and leveraging intelligence and information
Equipment and Capital Projects	• Long-term vulnerability reduction • Infrastructure systems • Operational communications	• Protection of high-risk, high-consequence areas or systems that have been identified through risk assessments • Physical security enhancements ○ Security cameras (CCTV)

Priority Areas	Core Capabilities	Example Project Types
	• Interdiction and disruption • Screening, search and detection • Access control and identity verification • Physical protective measures	○ Security screening equipment for people and baggage ○ Lighting ○ Access Controls ▪ Fencing, gates, barriers, etc. • Enhancing Weapons of Mass Destruction and/or improvised explosive device prevention, detection, and response capabilities ○ Chemical/Biological/Radiological/ Nuclear/Explosive detection, prevention, and response equipment
Exercises	• Long-term vulnerability reduction • Operational coordination • Operational communications • Community resilience	• Response exercises, including exercise planning with community-based organizations

For FY 2025, each SHSP recipient is required to submit an Investment Justification (IJ) for the NPAs with minimum spend requirements (i.e., Enhancing Election Security and Supporting Border Crisis Response and Enforcement). The investments must also account for at least the relevant minimum percentage of the applicant's SHSP allocations. SAAs may submit complete project-level information at the time of application, including the NPA IJs, but are not required to do so. ***As a reminder, all SHSP-funded projects must have a demonstrated nexus to achieving target capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism***. At the same time, these projects can also help improve preparedness for other types of disasters.

e. *Goals and Objectives for OPSG*

Operation Stonegarden (OPSG) supports enhanced cooperation and coordination among Customs and Border Protection (CBP)/United States Border Patrol (USBP), and federal, state, local, tribal, and territorial law enforcement agencies to strengthen border security.

The program's objectives are to:

- Enhance collaboration and coordination among federal, state, local, tribal, and territorial law enforcement agencies to strengthen border security;
- Support joint efforts to secure borders, including land and water routes, and critical travel corridors; and
- Improve information and intelligence sharing to address border-related threats effectively.

f. *OPSG Funding Priorities*

FY 2025 Emphasis:

- Jurisdictions are encouraged to participate in the 287(g) program as part of their OPSG efforts when coordinated with and endorsed by USBP.

- Funding dedicated to support 287(g) activities under OPSG is encouraged but does not count toward the 10% minimum allocation required for the new "Supporting Border Crisis Response and Enforcement" National Priority Area (NPA) under SHSP.

The table below provides examples of project types.

FY 2025 OPSG - Example Project Types

Priority Areas	Core Capabilities	Lifelines	Example Project Types
National Priorities			
Supporting Border Crisis Response and Enforcement	• Training and awareness • Community resilience • Operational coordination • Risk management for protection programs and activities	• Enhance collaboration and coordination among federal, state, local, tribal, and territorial law enforcement agencies to strengthen border security • Support joint efforts to secure borders, including land and water routes, and critical travel corridors • Improve information and intelligence sharing to address border-related threats effectively • Provide staffing support to expand 287(g) screening operations within correctional facilities • Operational overtime costs directly tied to 287(g) screening, processing, and enforcement activities • Training programs for state and local law enforcement officers in immigration law, civil rights protections, and 287(g) procedures	

CBP/USBP remains the lead federal entity in determining eligibility, setting operational priorities, and coordinating all OPSG activities. Any use of 287(g) as part of eligibility must be developed in close coordination with CBP and reflect USBP's operational assessments and strategic goals.

C. Program Rationale
The stated goals, objectives, and priorities of HSGP support Section 2002 of the *Homeland Security Act of 2002*, Pub. L. No. 107-296 (codified as amended at 6 U.S.C. § 603).

D. Federal Assistance Type
Grant

E. Performance Measures and Targets
a. ***SHSP***

1. Number of recipients and stakeholders participating in the HSGP program.
2. Number of recipients and stakeholders addressing capability gaps identified through the THIRA/SPR process.
3. Number of gaps mitigated in a core capabilities that have a target(s) rated as high priority.
4. Percent change in year-over-year capability levels relating to targeted high priority capabilities identified through the THIRA/SPR process.

FEMA will calculate and analyze the above metrics through a review of state/territory SPR submissions and required programmatic reports.

b. ***OPSG***

1. Number of OPSG-funded overtime hours contributed by subrecipients to support and strengthen the U.S. CBP's border security operations.
2. Number of OPSG-funded overtime hours contributed by subrecipients to support and strengthen the U.S. CBP's border security operations.
3. Number of SLTT law enforcement agencies participating in joint OPSG activities.

F. Program-Specific Unallowable Costs

a. ***Unallowable Costs for SHSP and OPSG***

Per FEMA policy, the purchase of weapons and weapons accessories, including ammunition, is not allowed with HSGP funds. Grant funds may not be used for the purchase of the following equipment: firearms; ammunition; grenade launchers; bayonets; or weaponized aircraft, vessels, or vehicles of any kind with weapons installed. Unauthorized exercise-related costs include:

- Reimbursement for the maintenance or wear and tear costs of general use vehicles (e.g., construction vehicles), medical supplies, and emergency response apparatus (e.g., fire trucks, ambulances); and
- Equipment that is purchased for permanent installation and/or use, beyond the scope of the conclusion of the exercise (e.g., electronic messaging sign).

HSGP funds may not be used to support the hiring of sworn public safety officers for purposes of fulfilling traditional public safety duties or to supplant traditional public safety positions and responsibilities (6 U.S.C. § 609(b)(1)(A)).

As directed by Section 2008(b)(2) of the *Homeland Security Act of 2002* (codified as amended at 6 U.S.C. § 609(b)(2)), all personnel and personnel-related costs, including those of intelligence analysts and operational overtime, are allowed up to 50 percent of HSGP funding without time limitation placed on the period of time that such personnel can serve. FEMA may provide a waiver at the request of the recipient to allow personnel expenses to exceed 50 percent of the amount awarded, however.

b. ***Unallowable Costs for OPSG Only***

OPSG funds may not be used for the following:

- Evidence collection, arrest processing, prosecution, and Traffic/DUI checkpoints, such as evidence documentation cameras, fingerprinting supplies, alcohol breathalyzers, portable work lights, traffic barricades, and similar law enforcement expenses;
- Staffing (other than overtime) and general information technology computing equipment and hardware, such as personal computers, faxes, copy machines, and modems;
- Hiring full-time or permanent sworn public safety officers;
- Supplanting of inherent routine patrols and law enforcement operations or activities not directly related to providing enhanced coordination between local and federal law enforcement agencies;
- Construction and/or renovation costs; or
- Exercise expenses.

Applicants should refer to IB 421b, or contact their FEMA Headquarters (HQ) Preparedness Officer for guidance and clarification. Due to the nature of OPSG, exercise expenses are not allowable costs under OPSG.

G. General Funding Requirements
Costs charged to federal awards (including federal and non-federal cost share funds) must comply with applicable statutes, rules and regulations, policies, this NOFO, the Preparedness Grants Manual, and 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. 2 C.F.R. § 200.403(h).

Recipients may not use federal funds or any cost share funds for the following activities:

1. Matching or cost sharing requirements for other federal grants and cooperative agreements (see 2 C.F.R. § 200.306).
2. Lobbying or other prohibited activities under 18 U.S.C. § 1913 or 2 C.F.R. § 200.450.
3. Prosecuting claims against the federal government or any other government entity (see 2 C.F.R. § 200.435).

1. Funds Transfer Restriction

Recipients are not allowed to move funds between programs (SHSP and OPSG). While projects can be funded by multiple sources, recipients cannot shift funds from one program to another.

H. Indirect Costs (Facilities and Administrative Costs)
Indirect costs are allowed for recipients and subrecipients.

Indirect costs (IDC) are costs incurred for a common or joint purpose benefitting more than one cost objective and not readily assignable to specific cost objectives without disproportionate effort. Applicants with a current negotiated IDC rate agreement who desire to charge indirect costs to a federal award must provide a copy of their IDC rate agreement with their applications. Not all applicants are required to have a current negotiated IDC rate agreement. Applicants that are not required to have a negotiated IDC rate agreement, but are required to develop an IDC rate proposal, must provide a copy of their proposal with their applications. Applicants without a current negotiated IDC rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to FEMA for further instructions. Applicants who wish to use a cost allocation plan in lieu of an IDC rate proposal must reach out to FEMA for further instructions. As it relates to the IDC for subrecipients, a recipient must follow the requirements of 2 C.F.R. §§ 200.332 and 200.414 in approving the IDC rate for subawards.

See the Preparedness Grants Manual for information on establishing indirect cost rates.

I. Management and Administration (M&A) Costs
Recipients can use up to 5% of their HSGP funds for M&A purposes. *Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4, § 1101*. Subrecipients may also use

up to 5% of the funding passed through by the state specifically for M&A related to the HSGP award.

Recipients or subrecipients can apply M&A costs toward meeting the NPA spending requirements. For example, if a recipient spent $5,000 on administering election security projects, it could count toward the mandatory 3% allocation for the election security NPA.

The total M&A funds a state can retain are based on 5% of the combined total of its SHSP and OPSG awards. However:

- States must ensure subrecipient awards meet the mandatory pass-through requirements before retaining M&A funds.
- Pass-through percentages are calculated based on the total HSGP award, before M&A deductions.

Under OPSG, subrecipients - including local law enforcement agencies referred to as "friendly forces" - can use up to 5% of their awarded funds for M&A expenses (*Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4, § 1101*). In retaining these funds, states may retain a maximum of 2.5% of the OPSG allocation, which must be withheld from the pass-through to each subrecipient county or tribe in an equal percentage. The SAA may also retain additional funding from its SHSP award to manage and administer the OPSG award, but that additional amount is also capped at an amount equal to 2.5% of the OPSG award.

Example of applying this principle:

SAA 1:

- Total award: $4,500,000
- SHSP: $3,500,000 OPSG: $1,000,000
- M&A Maximum: $225,000 (5% of $4,500,000)
- Maximum M&A for SHSP = $175,000
- Maximum M&A for OPSG = $50,000. Of that amount, $25,000 (2.5%) may be retained from the OPSG allocation, and the other $25,000 would come from the SHSP allocation. Any amount used to manage and administer OPSG that is charged to SHSP may be above and beyond the $175,000 available to manage the SHSP allocation.

M&A charged to OPSG and SHSP funding must be used to support that particular program. See the Preparedness Grants Manual for information on M&A costs.

J. Pre-Award Costs

Pre-award costs are defined as costs incurred by the applicant prior to the start date of the period of performance of the federal award and are allowable only with the prior written approval of DHS/FEMA and as included in the award agreement. To request pre-award costs, a written request must be included with the application, signed by the AOR of the entity. The letter must outline what the pre-award costs are for, including a detailed budget break-out of pre-award costs from the post-award costs, and a justification for approval. For more information, please contact your assigned FEMA HQ Preparedness Officer.

K. Beneficiary Eligibility
There are no program requirements. This NOFO and any subsequent federal awards create no rights or causes of action for any beneficiary.

L. Participant Eligibility
There are no program requirements. This NOFO and any subsequent federal awards create no rights or causes of action for any participant.

M. Authorizing Authority
Section 2002 of the *Homeland Security Act of 2002*, Pub. L. No. 107-296 (codified as amended at 6 U.S.C. § 603).

N. Appropriation Authority
Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4 § 1101.

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

P. Prohibition on Covered Equipment or Services
See the Preparedness Grants Manual for information on prohibitions on expending funds on covered telecommunications and surveillance equipment and services.

4. Application Contents and Format

A. Pre-Application, Letter of Intent, and Whitepapers
Not allowable.

B. Application Content and Format
Not applicable.

C. Application Components
The following forms or information are required to be submitted via FEMA GO. Applicants can complete these forms directly in FEMA GO without needing to upload PDF versions of the forms. The Standard Forms (SF) are also available at Forms | Grants.gov.

- 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

D. Program-Specific Required Documents and Information
Start by visiting Grants.gov and searching for the Homeland Security Grant Program posting. Once you find the posting, go to the **Related Documents** tab to download the necessary templates. Fill out these forms carefully, ensuring all information is accurate and clearly labeled. Save the completed forms as Adobe PDF files. Finally, log in to FEMA GO and upload the PDFs as part of your application.

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

SHSP
- FEMA GO – Web based Summary of Grant Request Details
- Senior Advisory Committee (SAC) Charter and Membership / Point of Contact List

OPSG
Operations Orders (See Section 9.K.d)
Applicable to All Programs (as appropriate)
- Detailed Budgets (web based)
- Pre-Award Costs
- Indirect Cost Agreement

For additional documents and post-award application requirements (e.g., SAFECOM letter and others), please refer to Section 9 Post-Award Requirements and Administration for guidance.

a. ***IJ Development: SHSP***

Each IJ begins with an overview that aligns the proposed investments with the applicant's homeland security strategy and the program's goals.

1. **Investments:** Applicants must propose a minimum of two and a maximum of twelve investments within the IJ. Each investment represents a strategic area of focus and should include:
   - **Investment Name:** A clear title that reflects the focus area.
   - **Description:** An explanation of how the investment supports planning, organization, equipment, training, and exercises.
   - **Alignment:** Identification of goals and objectives from the State Homeland Security Strategy that the investment supports.

2. **Projects:** Each investment contains one or more projects detailing specific activities. For each project, the IJ requires:
   - **Project Name and Description:** A concise title and summary of the project's purpose and activities.

- **Subrecipient Information:** Details about any subrecipients involved, including their names and whether they are state or local entities.
- **Location:** The primary location's zip code where the project will be implemented.
- **Core Capability Supported:** The main capability the project aims to build or sustain.
- **Shareability and Deployability:** Information on whether the project's activities can be shared with or deployed to other jurisdictions.

3. **Funding Details:** The IJ must specify the funding amount for each investment and project, ensuring alignment with program guidelines and the minimum spending thresholds for NPAs and LETPA.

4. **Capability Gaps and Outcomes:** Applicants should describe existing capability levels, identify gaps the investment intends to address, and outline the expected outcomes and improvements resulting from the proposed projects.

b. ***LETPA and NPA Requirements***

Applicants must ensure their IJs meet specific requirements for LETPA and the NPAs.

1. **LETPA**

- At least 35% of SHSP funds must go toward LETPA projects that prevent terrorism, such as law enforcement training or equipment.
- Eligible activities must have a clear nexus to law enforcement terrorism prevention, including equipment, training, exercises, and operational overtime directly related to preventing terrorism.
- Applicants should clearly identify which investments and projects contribute to the LETPA allocation within their IJs.
- It's allowable for an investment to simultaneously support LETPA and an NPA, provided it meets the criteria for both.
- Investments and projects meeting LETPA requirements must be clearly labeled in the IJ.

2. **NPA:**

- At least 30% of SHSP funds must go toward projects in five NPAs:
  - Protecting soft targets/crowded places;
  - Supporting Homeland Security Task Forces and Fusion Centers;
  - Enhancing cybersecurity;
  - Enhancing election security (requires at least 3%); and
  - Supporting Border Crisis Response and Enforcement (requires at least 10%).
- Among these, only "Enhancing election security" and “Supporting Border Crisis Response and Enforcement” have a specified minimum spend requirement of 3% and 10%, respectively. The remaining 17% can be flexibly allocated across the remaining NPAs.
- For NPAs with a minimum spend requirement (election security and 287(g)), related projects must be consolidated into single IJs, clearly labeled IJ.

- Other NPA projects may be combined into one or more IJs, but applicants must clearly identify which NPAs each project supports to ensure they count toward the 30% minimum allocation.

c. *Fusion Center Project IJ Requirement*

For SHSP funded investments, each applicant must designate one project in support of a designated fusion center under the "*Supporting Homeland Security Task Forces and Fusion Centers*" priority area. Coordination with the fusion center is required when developing the project prior to submission. Additional guidance on developing fusion center projects can be found below and in the Preparedness Grants Manual.

Applicants must identify a fusion center project that includes:

- **Alignment with the Designated Fusion Center**: Clearly indicate which fusion center the project supports and that it's under the "*Supporting Homeland Security Task Forces and Fusion Centers*" priority area.
- **Project Description and Funding Details**: Provide a brief narrative describing the proposed activities and a detailed funding breakdown that directly supports the fusion center.

The narrative and financial itemization must align with fusion center improvement or sustainment needs, as outlined in the Fusion Center Performance Measures section of the Preparedness Grants Manual. Recipients can also refer to the Fusion Centers | Homeland Security website for more information.

d. *What Happens if IJ Requirements Aren't Met?*

- If IJs don't meet the NPA and LETPA spending requirements, FEMA will place a hold on those impacted funds until the issues are resolved.
- Applicants can provide project details either during the application process or by including them in the Biannual Strategy Implementation Report (BSIR) due by January 30, 2026.

e. *How to Succeed*

- Clearly explain how your projects meet LETPA and NPA goals, and which IJ includes the Fusion Center.
- Ensure investments and projects align with homeland security strategies and fill capability gaps.
- Maintain detailed records to support your application and help FEMA review it.

By following these steps, applicants can ensure their funding proposals are clear, meet program requirements, and align with homeland security priorities.

f. *FEMA GO - Grant Request Details (Web-Based)*

When completing the Grant Request Details section in the FEMA GO Application, entities are strongly encouraged to provide complete details about their proposed projects. This includes project names, descriptions, and associated costs to ensure clarity and accuracy in funding requests.

However, applicants will not be penalized if they do not enter full details at this stage. They will have another opportunity to refine and expand upon this information when completing the Winter BSIR.

At a minimum, applicants must submit the IJ to demonstrate the projects they intend to fund. The IJ provides a high-level summary of proposed initiatives and aligns them with grant priorities.

For additional guidance on completing the Grant Request Details section, refer to the FEMA GO Application Process Guide or consult your HQ FEMA Preparedness Officer.

g. ***Senior Advisory Committee (SAC) Charter and Advisory List***
Recipients are required to establish a SAC and provide a copy of the SAC Charter with their application. The SAC Charter should include a detailed description of the committee's composition, governance processes, meeting frequency, decision-making procedures, and defined roles and responsibilities. All members of the SAC should sign and date the charter to indicate their agreement with its content and their representation on the committee. Recipients must include the information as an attachment in FEMA GO when submitting their application. SAA will use the URT to verify compliance with SAC charter requirements. For more information on SAC composition, scope, responsibilities, see the Preparedness Grants Manual.

h. ***National Incident Management System (NIMS) Implementation***
Prior to allocation of any federal preparedness awards, recipients must ensure and maintain adoption and implementation of NIMS, including implementation of important operational systems defined under NIMS, such as the Incident Command System (ICS). The list of objectives used for progress and achievement reporting is on FEMA's website at https://www.fema.gov/emergency-managers/nims/implementation-training.

Please see the Preparedness Grants Manual for more information on NIMS.

i. ***Emergency Management Assistance Compact (EMAC) Membership***
In support of the National Preparedness Goal (the Goal), SHSP recipients must participate in the EMAC. Exceptions are made for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to join EMAC at this time.

All assets supported in part or entirely with FY 2025 HSGP funding must be readily deployable and NIMS-typed, when possible, to support emergency or disaster operations per existing EMAC agreements. In addition, funding may be used for the sustainment of core capabilities that, while they may not be physically deployable, support national response capabilities, such as Geographic/Geospatial Information Systems, interoperable communications systems, and capabilities as defined under the Mitigation Mission Area of the Goal.

k. ***Detailed Budget***
Applicants must complete the web-based budget summary within FEMA GO for all funds requested at the time of the application. For detailed guidance, refer to the FEMA GO Application Process Guide.

For a visual guide on entering sub-recipient management costs in FEMA GO, you may find the following tutorial helpful: How To Enter Sub-recipient Management Costs In FEMA-Go.

E. Post-Application Requirements for Successful Applicants
Not applicable.

5. Submission Requirements and Deadlines

A. Address to Request Application Package
Applications are processed through the FEMA GO system. To access the system, go to https://go.fema.gov/.

Steps Required to Apply For An Award Under This Program and Submit an Application:

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

a. Apply for, update, or verify their Unique Entity Identifier (UEI) number and EIN from the Internal Revenue Service (IRS);
b. In the application, provide an UEI number;
c. Have an account with login.gov;
d. Register for, update, or verify their System for Award Management (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 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/media-library/assets/documents/181607;
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.

Per 2 C.F.R. § 25.110(a)(2)(iv), if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to receiving a federal award, the applicant must notify FEMA as soon as possible. Contact fema-grants-news@fema.dhs.gov and provide the details of the exigent circumstances.

How to Register to Apply:

General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Below are instructions for registering to apply for FEMA funds. Read the instructions carefully and prepare the requested information before beginning the registration process. Gathering the required information before starting the 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 a UEI number, EIN, and an active SAM registration.

Obtain a 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.

Obtain Employer Identification Number:

In addition to having a UEI number, all entities applying for funding must provide an 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.

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 at: https://secure.login.gov/sign_up/enter_email?request_id=34f19fa8-14a2-438c-8323-a62b99571fd.

Applicants only have to create a login.gov account once. For existing SAM users, use the same email address for both login.gov and 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.

Register with SAM:

In addition to having a UEI number, all organizations must register with SAM. Failure to register with SAM will prevent your organization from applying through FEMA GO. SAM registration must be renewed annually and must remain active throughout the entire grant life cycle.

For more detailed instructions for registering with SAM, refer to: Register with SAM

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 past three years, if applicable.

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 FEMA GO Startup Guide.

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

- Google Chrome;
- Mozilla Firefox;
- Apple Safari; and
- Microsoft Edge.

Applicants using tablet type devices or other browsers may encounter issues with using FEMA GO.

Submitting the Final Application:

Applicants will be prompted to submit the standard application information, and any program-specific information required. Standard Forms (SF) may be accessed in the Forms tab under the: SF-424 Family | Grants.gov.

Applicants should review these forms before applying to ensure they are providing all required information.

After submitting the final application, FEMA GO will provide either an error message, or an email to the submitting AOR confirming the transmission was successfully received.

B. Application Deadline
08/11/25 05:00:00 PM Eastern Time

C. Pre-Application Requirements Deadline
Not applicable.

D. Post-Application Requirements Deadline
Not Applicable.

E. Effects of Missing the Deadline
All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of submission and generates an electronic date/time stamp when FEMA GO successfully receives an application. The submitting AOR will receive via email the official date/time stamp and a FEMA GO tracking number to serve as proof of timely submission prior to the application deadline.

Applicants experiencing system-related issues have until 3:00 PM ET on the date applications are due to notify their FEMA Preparedness Officer or the FEMA GO Helpdesk. No new system-related issues will be addressed after this deadline. Applications not received by the application submission deadline will not be accepted.

6. Intergovernmental Review

A. Requirement Description and State Single Point of Contact
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.

7. Application Review Information

A. Threshold Criteria

The SAA is the sole entity authorized to submit HSGP applications to FEMA on behalf of the state and subrecipients. This section highlights the specific criteria that determine ineligibility, ensuring applicants understand and adhere to the program's requirements.

a. ***Entities Ineligible for HSGP Funding***

- **Non-SAA Organization -** SAA are the only eligible applicants to submit HSGP applications to FEMA. This includes applications for SHSP and OPSG.
- **Unaffiliated or Unauthorized Representatives -** Applications submitted by individuals who are not current employees, personnel, or authorized representatives of the applicant organization (e.g., consultants or contractors acting on behalf of an organization) will be deemed ineligible.
- **Organizations Not Registered in SAM.gov -** Applicants that fail to register and maintain an active profile in SAM.gov, or those without a UEI, are not eligible to receive funding.
- **Direct Applications by Tribal Governments -** Tribal governments cannot directly apply for HSGP funding (SHSP, OPSG). However, they may receive funding as subrecipients through their state's SAA.

b. ***Ineligible Projects***

- Projects that do not align with the purposes of the HSGP, including those that fail to demonstrate a clear nexus to preventing, preparing for, protecting against, or responding to acts of terrorism.
- Activities not permitted under HSGP guidance or that do not meet criteria for allowable costs as outlined in the NOFO and Preparedness Grants Manual.

c. ***Non-Compliance with Federal Requirements***

- Failure to submit a complete and accurate application by the deadline.
- Applications missing required documentation or information, such as an active registration in SAM.gov or compliance with UEI requirements.
- Entities with a history of non-compliance with federal statutes, regulations, or program requirements that impact eligibility for federal funding.

B. Application Criteria

a. ***Programmatic Criteria***

1. Risk Methodology

The risk methodology determines the relative risk[3] of terrorism a jurisdiction faces by assessing the expressed or implied threats, the asset/system vulnerabilities, and the communal consequences of an attack. The equation for relative risk is comprised of three components:

[3] DHS defines risk as: "potential for an adverse outcome assessed as a function of hazard/threats, assets and their vulnerabilities, and consequences." See DHS Lexicon Terms and Definitions: 2018 Edition – Revision 04, (Apr. 2018)

Threat x Vulnerability x Consequence. Each component is comprised of data elements that are reviewed yearly, in collaboration with FEMA stakeholders, to ensure alignment with the changing U.S. terrorism threat environment. Each eligible jurisdiction's relative risk is assessed, which helps to inform grant funding. For more information on the SHSP and OPSG allocation processes, please see Appendix 11.A.

The three components of risk and their functions are outlined below:

- Threat: Assesses reports documenting indication of potential harm to life, information, operations, the environment and/or property within a jurisdiction.
- Vulnerability: Assesses assets and systems - such as infrastructure, borders, special events, and movements of individuals or groups - that may render terrorist attacks on a jurisdiction more likely to succeed, if attempted.
- Consequence: Assesses the impact of a terrorist attack on a jurisdiction through direct measures such as the numerical values for its population, gross domestic product, and infrastructure.

NOTE: The risk methodology is separate from the THIRA/SPR process. Risk methodology results do affect grant allocations while the THIRA/SPR process does not.

b. ***Application Evaluation Criteria***
FEMA will evaluate the FY 2025 HSGP applications for completeness, adherence to programmatic guidelines, and anticipated effectiveness of the proposed investments. FEMA's review will include verification that each IJ and project:

- Aligns with at least one core capability identified in the Goal;
- Demonstrates how investments support building capability and/or closing capability gaps or sustaining capabilities identified in the THIRA/SPR process; and
- Supports a NIMS-typed resource and whether those assets are deployable/shareable to support emergency or disaster operations per existing EMAC agreements.

In addition to the above, FEMA will evaluate whether proposed projects are: 1) both feasible and effective at reducing the risks for which the project was designed; and 2) able to be fully completed within the three-year period of performance. FEMA will use the information provided in the application and after the submission of the first BSIR to determine the feasibility and effectiveness of a grant project. To that end, IJs should include:

- An explanation of how the proposed project(s) will achieve objectives as identified in the SPR, including expected long-term impact where applicable, and which core capability gap(s) it helps to close and how;
- A summary of the status of planning and design efforts accomplished to date (e.g., included in a capital improvement plan); and
- A project schedule with clear milestones.

Recipients are expected to conform, as applicable, with accepted engineering practices, established codes, standards, modeling techniques, and best practices, and participate in the development of case studies demonstrating the effective use of grant funds, as requested.

FEMA will also review any submitted NPA-aligned IJs and projects to ensure they meet the minimum spend requirements. Additional information on how the NPA IJs and projects will be reviewed for effectiveness is included in the Review and Selection Process section below.

b. ***Review and Selection Process***

1. SHSP

FY 2025, HSGP applications will be reviewed through a two-phase state and federal review process for completeness, adherence to programmatic guidelines, feasibility, and how well the IJ (project description and justification) addresses the identified risk(s).

State Review

The SAA is the sole entity authorized to submit HSGP applications to FEMA on behalf of the state and subrecipients. The SAA reviews subaward applications to ensure they meet the legal, financial, and programmatic requirements set forth by FEMA and the state's guidelines before submitting on behalf of the state to DHS/FEMA. As part of the review for HSGP - SHSP - the SAA must:

- Conduct an eligibility review;
- Review and score only complete application packages (including mission statements and vulnerability assessments) using the HSGP Scoring Criteria provided by DHS/FEMA;
- Coordinate with the local and tribal governments, then prioritize projects that align with the NOFO requirements;
- Submit IJs that are recommended for funding to DHS/FEMA; and,
- Submit IJs received and not recommended for funding, including incomplete IJs and IJs from subapplicants deemed ineligible to DHS/FEMA.

Federal Review

All proposed investments will undergo a federal review by DHS/FEMA to ensure compliance with all administrative and eligibility criteria identified in the NOFO. The Federal Reviewers will check each proposed investment for the following:

- Eligibility, feasibility, and alignment with the application criteria listed in this NOFO;
- Compliance and effectiveness in addressing NPAs, ensuring required spend percentages are met;
- Compliance with SAFECOM Guidance on Emergency Communications Grants (SAFECOM Guidance); and,
- LETPA project alignment with program objectives and required spend percentages.

National Priority Area Funding Holds

If applicants submit IJs and project-level details at the time of application, FEMA will evaluate effectiveness prior to award. If projects do not sufficiently align with NPAs, up to 30% of funds may be placed on hold until revisions are made.

If applicants submit IJs and project-level details as part of their December 2026 BSIR, 30% of funds will be placed on hold until FEMA reviews the BSIR and confirms alignment with NPAs.

2. OPSG

For OPSG, applications will be reviewed by the SAA and USBP Sector Headquarters for completeness and adherence to programmatic guidelines and evaluated for anticipated feasibility, need, and impact..

DHS/FEMA will verify compliance with all administrative and eligibility criteria outlined in the NOFO. DHS/FEMA and USBP will use the results of both the risk analysis and the federal review to make recommendations for funding to the Secretary of Homeland Security.

OPSG funds will be allocated among the eligible jurisdictions based on risk-based prioritization using the OPSG Risk Assessment described in Appendix A. Final funding allocations are determined by the Secretary of Homeland Security, who may consider information and input from various law enforcement offices or subject-matter experts within the Department. Factors considered include, but are not limited to:

- Threat and vulnerability assessments
- Total miles of the border Border-specific law enforcement intelligence
- Feasibility of Operations Orders to designated localities within border states and territories.

This comprehensive review and selection process ensures that HSGP and OPSG funds are distributed effectively to enhance national preparedness, border security, and overall homeland security efforts.

C. Financial Integrity Criteria

Before making an award, FEMA is required to review OMB-designated databases for applicants' eligibility and financial integrity information. This is required by the Payment Integrity Information Act of 2019 (Pub. L. No. 116-117, § 2 (2020)), 41 U.S.C. § 2313, and the "Do Not Pay Initiative" (31 U.S.C. 3354). For more details, please see 2 C.F.R. § 200.206.

Thus, the Financial Integrity Criteria may include the following risk-based considerations of the applicant:

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

D. Supplemental Financial Integrity Criteria and Review

Before making an award expected to exceed the simplified acquisition threshold (currently a total federal share of $250,000) over the period of performance:

1. FEMA is required by 41 U.S.C. § 2313 to review or consider certain information found in SAM.gov. For details, please see 2 C.F.R. § 200.206(a)(2).

2. An applicant may review and comment on any information in the responsibility/qualification records available in SAM.gov.
3. Before making decisions in the risk review required by 2 C.F.R. § 200.206, FEMA will consider any comments by the applicant.

E. Reviewers and Reviewer Selection

Reviewers for HSGP are selected from within FEMA, across the federal government, and, where applicable, may include external subject matter experts. These reviewers are chosen based on their expertise in homeland security, emergency management, and grant administration.

To prevent conflicts of interest, reviewers must disclose any personal or professional relationships with applicants before the review process begins. Any individual with a conflict is recused from evaluating the affected application. Additionally, reviewers are required to complete ethics and impartiality training to ensure a fair and unbiased review process.

F. Merit Review Process

HSGP applications are not reviewed solely on merit. While merit plays a role—such as evaluating the effectiveness, feasibility, and impact of proposed investments—the review process heavily incorporates risk-based methodologies and compliance criteria. HSGP does not use a weighted scoring method. All criteria are considered equally during the review process.

Review Process:

- State Review (SHSP): The SAA conducts an initial eligibility review and prioritizes projects for submission to FEMA.
- OPSG Review: OPSG applications are reviewed in coordination with the SAA and USBP Sector Headquarters to assess completeness, feasibility, need, and the anticipated impact of proposed Operations Orders.
- Federal Review: FEMA conducts a federal review of all applications to ensure eligibility, feasibility, and compliance with NOFO requirements.

While merit is a key factor in assessing alignment with national priorities, state and local needs, expected impact, and cost-effectiveness, funding decisions also weigh risk assessments, eligibility criteria, and available funding allocations.

G. Final Selection

The Secretary of Homeland Security makes the final funding decisions, considering risk assessments, subject-matter expert input, and project feasibility, while also ensuring alignment with national priorities and compliance with legal, financial, and policy guidelines for strategic allocation of funds.

8. Award Notices

A. Notice of Award

The Authorized Organization Representative (AOR) should carefully read the federal award package before accepting the federal award. The federal award package includes instructions on administering the federal award as well as terms and conditions for the award.

By submitting an application, applicants agree to comply with the prerequisites stated in this NOFO, the Preparedness Grants Manual, and the material terms and conditions of the federal award, should they receive an award.

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 award package notification email is sent via the grant application system to the submitting AOR. The package provides instructions on how to manage the award and outlines the terms and conditions. The AOR should carefully read the federal award package before accepting it.

For HSGP, "receipt of funds" happens when the recipient accepts the award or 15 calendar days after receiving the award notification, whichever comes first. IF the recipient accepts the award within 15 calendar days of the notification, the 45-day pass-through period starts on the acceptance date. If the recipient does not accept the award within 15 calendar days, the 45-day pass-through period automatically begins 15 calendar days after the notification is sent through FEMA GO. For detailed guidance on managing preparedness grants, including pass-through requirements and timelines, please refer to the FEMA Preparedness Grants Manual, Pass-Through Requirements. For more information on award acceptance, refer to the FEMA GO Award Acceptance Guide.

Funds will remain on hold until the recipient accepts the award via FEMA GO 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.

B. Pass-Through Requirements
Under HSGP, SAAs must pass at least 80% of SHSP funding to local or tribal governments. The state may retain up to 20% for state-level needs. "Pass-through" means SAAs must allocate funds to eligible entities as defined by law, such as counties, municipalities, tribal governments, or other public entities. For detailed guidance on HSGP pass-through requirements and timelines, please see Section 8 of the FEMA Preparedness Grants Manual.

After award acceptance, the state must pass through at least 80% of SHSP funds to local or tribal governments within 45 days. The timeline starts when the SAA accepts the award or 15 days after FEMA notifies the SAA, whichever is sooner. Funds must be distributed unconditionally, and the SAA must certify to FEMA that the pass-through is complete, listing amounts and recipients. U.S. territories are exempt, except for Puerto Rico, which must comply. States may keep more than 20% of funds only with written consent from local recipients, outlining the retained amount and purpose.

C. Note Regarding Pre-Award Costs
Even if pre-award costs are allowed, beginning performance is at the applicant and/or sub-applicant's own risk.

D. Obligation of Funds

The funds are obligated only when and once the agency's signatory authority approves and signs the award package.

E. Notification to Unsuccessful Applicants
FEMA informs the SAA about unsuccessful subrecipients or projects under HSGP at the time of the award. The SAA is then responsible for notifying the subapplicants and sharing any relevant feedback or information.

9. Post-Award Requirements and Administration

A. Administrative and National Policy Requirements

Presidential Executive Orders

Recipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference.

In accordance with *Executive Order 14305, Restoring American Airspace Sovereignty (June 6, 2025)*, and to the extent allowed by law, eligible state, local, tribal, and territorial grant recipients under this NOFO are permitted to purchase unmanned aircraft systems, otherwise known as drones, or equipment or services for the detection, tracking, or identification of drones and drone signals, consistent with the legal authorities of state, local, tribal, and territorial agencies. Recipients must comply with all applicable federal, state, and local laws and regulations, and adhere to any statutory requirements on the use of federal funds for such unmanned aircraft systems, equipment, or services.

Subrecipient Monitoring and Management

Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.

B. DHS Standard Terms and Conditions
A recipient under this funding opportunity must comply with the DHS Standard Terms and Conditions in effect as of the date of the federal award. The DHS Standard Terms and Conditions are available online: DHS Standard Terms and Conditions | Homeland Security. For continuation awards, the terms and conditions for the initial federal award will apply unless otherwise specified in the terms and conditions of the continuation award. The specific version of the DHS Standard Terms and Conditions applicable to the federal award will be in the federal award package.

C. Financial Reporting Requirements
See the Preparedness Grants Manual for information on financial reporting requirements.

D. Programmatic Performance Reporting Requirements
See the Preparedness Grants Manual for information on performance reporting requirements.

E. Closeout Reporting Requirements
See the Preparedness Grants Manual for information on closeout reporting requirements and administrative closeout.

Additional Reporting Requirements

Anytime there is a change in personnel for any of the awardees and/or subrecipients, their information needs to be submitted for approval (all the previous personal information identified).

F. Disclosing Information per 2 C.F.R. § 180.335
See the Preparedness Grants Manual for information on disclosing information per 2 C.F.R. § 180.335.

G. Reporting of Matters Related to Recipient Integrity and Performance
See the Preparedness Grants Manual for information on reporting of matters related to recipient integrity and performance.

H. Single Audit Report
See the Preparedness Grants Manual for information on single audit reports.

I. Monitoring and Oversight
Per 2 C.F.R. § 200.337, DHS and its authorized representatives have the right of access to any records of the recipient or subrecipient pertinent to a Federal award to perform audits, site visits, and any other official use. 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 or the Federal award in general.

Pursuant to this right and per 2 C.F.R. § 200.329, DHS may conduct desk reviews and make site visits to review and evaluate project accomplishments and management control systems as well as provide any required technical assistance. Recipients and subrecipients must respond in a timely and accurate manner to DHS requests for information relating to a federal award. See the Preparedness Grants Manual for more information on monitoring and oversight.

J. Program Evaluation
Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), PUBL435.PS urges federal agencies to use program evaluation as a critical tool to learn, improve 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). OMB A-11, Section 290 (Evaluation and Evidence-Building Activities) further outlines the standards and practices for evaluation activities. Federal agencies are required to specify any requirements for recipient participation in program evaluation activities (2 C.F.R. § 200.301). Program evaluation activities incorporated from the outset in the NOFO and program design and implementation allow recipients and agencies to meaningfully document and measure progress and achievement

towards program goals and objectives, and identify program outcomes and lessons learned, as part of demonstrating recipient performance (2 C.F.R. § 200.301).

As such, recipients and subrecipients are required to participate in a Program Office (PO) or a DHS Component-led evaluation, if selected. This may be carried out by a third-party on behalf of the PO or the DHS Component. Such an evaluation may involve information collections including but not limited to, records of the recipients; surveys, interviews, or discussions with individuals who benefit from the federal award, program operating personnel, and award recipients; and site visits or other observation of recipient activities, as specified in a DHS Component or PO-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) in accordance with 2 C.F.R.§ 200.413.

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.

K. Additional Performance Reporting Requirements
Award recipients must submit the following reports: quarterly financial reports, semi-annual performance reports and BSIR submissions, final financial and performance reports, and an annual audit report (if required). These must follow the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, found at 2 C.F.R. Part 200, or specific conditions of the award. If reports are late, future funding or fund access may be delayed, and additional reports may be requested in some cases.

a. *Reporting on the Implementation of the National Preparedness System*
Recipients are required to complete the THIRA every three years and the SPR annually through the URT on the Preparedness Toolkit no later than December 31. These assessments help jurisdictions identify and address capability gaps to enhance overall preparedness. See the Preparedness Grants Manual for information on reporting on the Implementation of the National Preparedness System.

b. *BSIR*
In addition to submitting semi-annual progress reports, recipients are required to complete the BSIR. The BSIR is submitted twice a year—in June and December—and provides detailed updates on the status and progress of funded projects. For comprehensive guidance on BSIR submission and other reporting requirements, see the Preparedness Grants Manual.

c. *Emergency Communications Investments - SAFECOM Compliant Letter*
An Emergency Communications Investments - SAFECOM Compliant Letter is required when utilize federal grants to fund emergency communications projects. The signatory authority for the SAA must certify in writing to DHS/FEMA their compliance with the SAFECOM Guidance. The certification letter should be coordinated with the Statewide Interoperability Coordinators (SWIC) for each state and must be uploaded to FEMA GO at the time of the Winter BSIR submission.

For detailed information on SAFECOM Guidance and compliance requirements, refer to the https://www.cisa.gov/safecom/funding. If you have further questions or need assistance, contact the SAFECOM Program at SAFECOMGovernance@cisa.dhs.gov.

d. *Operations Orders for OPSG*

The Operations Order (OO) is a detailed plan that explains the specific aspects of an operation, including its goals, tasks, timelines, and resources needed. It provides clear instructions on how to carry out the operation, identifying who is responsible for each task, the resources required, and the expected results. Recipients are required to submit an OO to show their ability to implement the proposed activities effectively, align with program goals, and meet funding requirements.

1. Accessing the OO Template Instructions

To access the OPSG OO Template:

- Find the HSGP posting via the search function on Grants.gov;
- Select the Related Documents tab on the posting; and
- Click on the OPSG OO Template and fill out all sections of the template.
- Writing the Executive Summary

The OO Executive Summary must:

- Identify the organization name, point of contact, committees, and other structures accountable for implementing OPSG in the jurisdiction (typically this will be a program lead or manager overseeing operations and individuals assigned to that agency); and
- Describe how federal and SLTT law enforcement agencies will work together to establish and enhance coordination and collaboration on border security issues.

3. Budget Requirements Overview

The OO Detailed Annual Budget must:

- Explain how costs and expenses were estimated; and
- Provide a narrative justification for costs and expenses.
- Supporting tables describing cost and expense elements (e.g., equipment, fuel, vehicle maintenance costs) may be included.

4. Submission Requirements

The OO must meet the following submission requirements:

- Must be submitted as an Adobe PDF document;

- All documents submitted must use the unique identifier created by the OPSG data management system from the original associated operation order; and

- Applicable OPSG sector representatives must coordinate with the SAA and OPSG participants to submit an accurate inventory of all specified OPSG purchased property with each Operations Order/ Fragmentary Order (FRAGO).

L. Termination of the Federal Award

1. Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 sets forth a term and condition entitled "Termination of a Federal Award." The termination provision condition listed below applies to the grant award and the term and condition in Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 does not.

2. Termination of the Federal Award by FEMA

   FEMA may terminate the federal award in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

   a. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.
   b. With the consent of the recipient, in which case FEMA and the recipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
   c. If the federal award no longer effectuates the program goals or agency priorities. Under this provision, FEMA may terminate the award for these purposes if any of the following reasons apply:

      i. If DHS/FEMA, in its sole discretion, determines that a specific award objective is ineffective at achieving program goals as described in this NOFO;
      ii. If DHS/FEMA, in its sole discretion, determines that an objective of the award as described in this NOFO will be ineffective at achieving program goals or agency priorities;
      iii. If DHS/FEMA, in its sole discretion, determines that the design of the grant program is flawed relative to program goals or agency priorities;
      iv. If DHS/FEMA, in its sole discretion, determines that the grant program is not aligned to either the DHS Strategic Plan, the FEMA Strategic Plan, or successor policies or documents;
      v. If DHS/FEMA, in its sole discretion, changes or re-evaluates the goals or priorities of the grant program and determines that the award will be ineffective at achieving the updated program goals or agency priorities; or
      vi. For other reasons based on program goals or agency priorities described in the termination notice provided to the recipient pursuant to 2 C.F.R. § 200.341.
      vii. If the awardee falls out of compliance with the Agency's statutory or regulatory authority, award terms and conditions, or other applicable laws.

3. Termination of a Subaward by the Pass-Through Entity

The pass-through entity may terminate a subaward in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

a. If the subrecipient fails to comply with the terms and conditions of the federal award.
b. With the consent of the subrecipient, in which case the pass-through entity and the subrecipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
c. If the pass-through entity's award has been terminated the pass-through recipient will terminate its subawards.

4. Termination by the Recipient or Subrecipient

The recipient or subrecipient may terminate the federal award in whole or in part for the following reason identified in 2 C.F.R. § 200.340: Upon sending FEMA or pass-through entity a written notification of the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if FEMA or the pass-through entity determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, FEMA or the pass-through entity may terminate the federal award in its entirety.

5. Impacts of Termination

a. When FEMA terminates the federal award prior to the end of the period of performance due to the recipient's material failure to comply with the terms and conditions of the federal award, FEMA will report the termination in SAM.gov in the manner described at 2 C.F.R. § 200.340(c).
b. When the federal award is terminated in part or its entirety, FEMA or the pass-through entity and the recipient or subrecipient remain responsible for compliance with the requirements in 2 C.F.R. §§ 200.344 and 200.345.

6. Notification requirements

FEMA or the pass-through entity must provide written notice of the termination in a manner consistent with 2 C.F.R. § 200.341. The federal award will be terminated on the date of the notification unless stated otherwise in the notification.

7. Opportunities to Object and Appeal

Where applicable, when FEMA terminates the federal award, the written notification of termination will provide the opportunity and describe the process, to object and provide information challenging the action, pursuant to 2 C.F.R. § 200.342.

8. Effects of Suspension and Termination

The allowability of costs to the recipient or subrecipient resulting from financial obligations incurred by the recipient or subrecipient during a suspension or after the termination of a federal award are subject to 2 C.F.R. § 200.343.

M. Best Practices

While not a requirement in the DHS Standard Terms and Conditions, as a best practice, entities receiving funds through this program should ensure that cybersecurity is integrated into the design, development, operation, and maintenance of investments that impact information technology (IT) and/ or operational technology (OT) systems. Additionally, "The recipient and subrecipient must … take reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information." 2 C.F.R. § 200.303(e).

N. Payment Information

Recipients will submit payment requests in FEMA GO for FY25 awards under this program.

Instructions to Grant Recipients Pursuing Payments

FEMA reviews all grant payments and obligations to ensure allowability in accordance with 2 C.F.R. § 200.305. These measures ensure funds are disbursed appropriately while continuing to support and prioritize communities who rely on FEMA for assistance. Once a recipient submits a payment request, FEMA will review the request. If FEMA approves a payment recipients will be notified by FEMA GO and the payment will be delivered pursuant to the recipients SAM.gov financial information. If FEMA disapproves a payment, FEMA will inform the recipient.

Processing and Payment Timeline

FEMA must comply with regulations governing payments to grant recipients. See 2 C.F.R. § 200.305. For grant recipients other than States, 2 C.F.R. § 200.305(b)(3) stipulates that FEMA is to make payments on a reimbursement basis within 30 days after receipt of the payment request, unless FEMA reasonably believes the request to be improper. For state recipients, 2 C.F.R. § 200.305(a) instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements ("Treasury-State agreement") and default procedures codified at 31 C.F.R. part 205 and Treasury Financial Manual (TFM) 4A-2000, "Overall Disbursing Rules for All Federal Agencies." *See* 2 C.F.R. § 200.305(a).

Treasury-State agreements generally apply to "major federal assistance programs" that are governed by 31 C.F.R. part 205, subpart A and are identified in the Treasury-State agreement. 31 C.F.R. §§ 205.2, 205.6. Where a federal assistance (grant) program is not governed by subpart A, payment and funds transfers from FEMA to the state are subject to 31 C.F.R. part 205, subpart B. Subpart B requires FEMA to "limit a funds transfer to a state to the minimum amounts needed by the state and must time the disbursement to be in accord with the actual, immediate cash requirements of the state in carrying out a federal assistance program or project. The timing and amount of funds transfers must be as close as is administratively feasible to a state's actual cash outlay for direct program costs and the proportionate share of any allowable indirect costs." 31 C.F.R. § 205.33(a). Nearly all FEMA grants are not "major federal assistance programs." As

a result, payments to states for those grants are subject to the "default" rules of 31 C.F.R. part 205, subpart B.

If additional information is needed, a request for information will be issued by FEMA to the recipient; recipients are strongly encouraged to respond to any additional FEMA request for information inquiries within three business days. If an adequate response is not received, the request may be denied, and the entity may need to submit a new reimbursement request; this will re-start the 30-day timeline.

Submission Process

All non-disaster grant program reimbursement requests must be reviewed and approved by FEMA prior to drawdowns.

For all non-disaster reimbursement requests (regardless of system), please ensure submittal of the following information:

1. Grant ID / Award Number
2. Total amount requested for drawdown
3. Purpose of drawdown and timeframe covered (must be within the award performance period)
4. Subrecipient Funding Details (if applicable).
    - Is funding provided directly or indirectly to a subrecipient?
        - If **no,** include statement "This grant funding is not being directed to a subrecipient."
    - If **yes**, provide the following details:
        - The name, mission statement, and purpose of each subrecipient receiving funds, along with the amount allocated and the specific role or activity being reimbursed.
        - Whether the subrecipient's work or mission involves supporting aliens, regardless of whether FEMA funds support such activities.
        - Whether the payment request includes an activity involving supporting aliens.
        - Whether the subrecipient has any diversity, equity, and inclusion practices.
5. Supporting documentation to demonstrate that expenses are allowable, allocable, reasonable, and necessary under 2 C.F.R. Part 200 and in compliance with the grant's NOFO, award terms, and applicable federal regulations.

O. Immigration Conditions

1. Materiality of Pending Immigration Condition

An immigration term and condition, including those in the DHS Standard Terms and Conditions, may be material to the Department of Homeland Security's decision to make this grant award, and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or any local government subrecipient fails to comply with this term and condition. No final agency determination has been made as of the date of this publication.

10. Other Information

A. Period of Performance Extension

Extensions to the period of performance are allowed.

Recipients should consult with their FEMA point of contact for requirements related to a performance period extension.

See the Preparedness Grants Manual for information on period of performance extension.

B. Other Information

a. *Environmental Planning and Historic Preservation (EHP) Compliance*

See the Preparedness Grants Manual for information on EHP compliance.

b. *Procurement Integrity*

See the Preparedness Grants Manual for information on procurement integrity.

c. *Financial Assistance Programs for Infrastructure*

1. Build America, Buy America Act Recipients and subrecipients must comply with FEMA's implementation requirements of 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, Buy America Preferences for Infrastructure Projects 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.

To see whether a particular FEMA federal financial assistance program is considered an infrastructure program and thus required to implement FEMA's Build America, Buy America requirements, please see Programs and Definitions: Build America, Buy America Act | FEMA.gov.

2. 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, or
- 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, or
- 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%.

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.

3. Definitions

For definitions of the key terms of the Build America, Buy America Act, please visit Programs and Definitions: Build America, Buy America Act | FEMA.gov.

d. *Mandatory Disclosures*
The non-Federal entity 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)

e. *Adaptive Support*
See the Preparedness Grants Manual for information on disability integration.

f. *Record Retention*
See the Preparedness Grants Manual for information on record retention.

g. *Actions to Address Noncompliance*
See the Preparedness Grants Manual for information on actions to address noncompliance.

h. *Audits*
See the Preparedness Grants Manual for information on audits.

11. Appendix A: HSGP Allocations

HSGP Programs	FY 2025 Allocation
SHSP	$373,500,000
OPSG	$ 81,000,000
Total	**$454,500,000**

A. SHSP Allocations

For FY 2025, DHS/FEMA will distribute SHSP funds based on their risk assessment methodology and legal minimums outlined in the *Homeland Security Act of 2002*, as amended. ***THIRA and SPR results do not affect how grant funds are allocated.***

Each state and territory will receive a guaranteed minimum amount:

- All 50 states, Washington, D.C., and Puerto Rico will receive at least 0.35% of the total funds available under Sections 2003 and 2004 of the Homeland Security Act.
- The four territories (American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands) will receive at least 0.08% of the total funds available under these sections.

States must include a separate IJ for the NPA focused on Enhancing Election Security (at least 3% minimum spend requirement) and Supporting Border Crisis Response and Enforcement (at least a 10% minimum spend requirement), but there is flexibility on the remaining 17% required to meet the overall 30% minimum spend requirement for the NPAs associated with the SHSP allocation.

These are target allocations pending final decisions by the Department of Homeland Security. These target allocations act as an estimate, and final allocations may be different in the award letter.

Fiscal Year State Homeland Security Grant Program Target Allocations

State/Territory	Fiscal Year 2025 Target Allocation	State/Territory	Fiscal Year 2025 Target Allocation
Alabama	$4,362,750	Montana	$4,362,750
Alaska	$4,362,750	Nebraska	$4,362,750
American Samoa	$997,200	Nevada	$4,362,750
Arizona	$4,362,750	New Hampshire	$4,362,750
Arkansas	$4,362,750	New Jersey	$6,367,357
California	$51,332,060	New Mexico	$4,362,750
Colorado	$4,362,750	New York	$61,229,940
Connecticut	$4,362,750	North Carolina	$4,576,849
Delaware	$4,362,750	North Dakota	$4,362,750
District of Columbia	$4,576,849	Northern Mariana Islands	$997,200
Florida	$8,409,514	Ohio	$5,571,852
Georgia	$4,759,790	Oklahoma	$4,362,750
Guam	$997,200	Oregon	$4,362,750
Hawaii	$4,362,750	Pennsylvania	$7,322,627
Idaho	$4,362,750	Puerto Rico	$4,362,750
Illinois	$12,505,419	Rhode Island	$4,362,750
Indiana	$4,362,750	South Carolina	$4,362,750

State/Territory	Fiscal Year 2025 Target Allocation	State/Territory	Fiscal Year 2025 Target Allocation
Iowa	$4,362,750	South Dakota	$4,362,750
Kansas	$4,362,750	Tennessee	$4,362,750
Kentucky	$4,362,750	Texas	$16,389,406
Louisiana	$4,362,750	U.S. Virgin Islands	$997,200
Maine	$4,362,750	Utah	$4,362,750
Maryland	$6,367,357	Vermont	$4,362,750
Massachusetts	$5,571,852	Virginia	$7,322,627
Michigan	$4,576,849	Washington	$5,571,852
Minnesota	$4,362,750	West Virginia	$4,362,750
Mississippi	$4,362,750	Wisconsin	$4,362,750
Missouri	$4,362,750	Wyoming	$4,362,750
Total			**$373,500,000**

B. OPSG Allocations

For FY 2025, DHS/FEMA will award OPSG funds based on two main factors: the risk to border security and the anticipated effectiveness of proposed projects. The OPSG risk assessment identifies potential threats to border security, guiding the distribution of funds to areas with the highest need. Eligible applicants are thelocal and tribal law enforcement agencies located along the U.S. borders.

For OPSG, "risk" refers to the potential for adverse outcomes, assessed by evaluating threats, vulnerabilities, and consequences associated with specific incidents or events. The risk model used to allocate OPSG funds considers the potential risk that certain threats pose to border security and estimates the relative risk faced by a given area. In evaluating threat, DHS/CBP considers intelligence, situational awareness, criminal trends, and statistical data specific to each of the border sectors, and the potential impacts that these threats pose to the security of the border area. For vulnerability and consequence, DHS/CBP considers the expected impact and consequences of successful border events occurring in specific areas. The effectiveness of proposed investments is evaluated based on the subrecipient’s investment strategy, budget, collaboration, and past performance.

These are target allocations pending final decisions by the Department of Homeland Security. These target allocations act as an estimate, and final allocations may be different in the award letter.

Fiscal Year 2025 Operation Stonegarden Eligible* Target Allocations

State/Territory	Fiscal Year 2025 Target Allocation	State/Territory	Fiscal Year 2025 Target Allocation
Alabama	$350,000	Montana	$1,672,000
Alaska	$750,000	Nebraska	$0
American Samoa	$0	Nevada	$0
Arizona	$12,220,000	New Hampshire	$200,000
Arkansas	$0	New Jersey	$0
California	$12,100,000	New Mexico	$2,675,000
Colorado	$0	New York	$2,670,000
Connecticut	$0	North Carolina	$0
Delaware	$0	North Dakota	$1,542,000
District of Columbia	$0	Northern Mariana Islands	$0
Florida	$2,790,000	Ohio	$825,000
Georgia	$90,000	Oklahoma	$0
Guam	$0	Oregon	$0
Hawaii	$0	Pennsylvania	$170,000
Idaho	$180,000	Puerto Rico	$1,330,000
Illinois	$0	Rhode Island	$0
Indiana	$0	South Carolina	$0
Iowa	$0	South Dakota	$0
Kansas	$0	Tennessee	$0
Kentucky	$0	Texas	$33,708,000
Louisiana	$810,000	U.S. Virgin Islands	$90,000
Maine	$1,410,000	Utah	$0
Maryland	$0	Vermont	$150,000
Massachusetts	$0	Virginia	$0
Michigan	$2,286,000	Washington	$1,435,000
Minnesota	$972,000	West Virginia	$0
Mississippi	$575,000	Wisconsin	$0
Missouri	$0	Wyoming	$0
Total			**$81,000,000**

Eligibility does not guarantee grant funding

12. Appendix B: Allowable Costs

A. Allowable Cost Matrix for SHSP and OPSG

The following matrix lists allowable cost activities across cost categories described above and below. The Preparedness Grants Manual includes additional information on allowable costs. Recipients and subrecipients must follow all applicable requirements in 2 C.F.R. Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. HSGP funds may be used to cover the costs for evaluating the impact of these grants on the state's core capabilities and capability gaps. This list is not exhaustive, therefore, if there are any questions regarding allowable costs, please contact the appropriate FEMA HQ Preparedness Officer.

Allowable Program Activities	SHSP	OPSG
Developing hazard/threat-specific annexes	Y	N
Developing and implementing homeland security support programs and adopting ongoing DHS/FEMA national initiatives	Y	N
Developing related terrorism and other catastrophic event prevention activities	Y	N
Developing and enhancing plans and protocols	Y	N
Developing or conducting assessments	Y	N
Hiring of full- or part-time staff or contract/consultants to assist with planning, engagement, and volunteer management activities	Y	N
Materials required to conduct planning, engagement, and volunteer management activities	Y	N
Travel/per diem related to planning, engagement, and volunteer management activities	Y	Y
Overtime and backfill costs (in accordance with operational Cost Guidance)	Y	Y
Issuance of Western Hemisphere Travel Initiative-compliant Tribal identification cards	Y	N
Activities to achieve planning inclusive of people with disabilities and others with access and functional needs and limited English proficiency.	Y	N
Coordination with Citizen Corps Councils for public information/education and development of volunteer programs	Y	N
Coordination and material support to Citizen Corps Councils and local firehouses for the establishment, training and maintenance of CERTs	Y	N
Update governance structures and processes and plans for emergency communications	Y	N
Development, and review and revision of continuity of operations plans	Y	N
Development, and review and revision of the THIRA/SPR and continuity of operations plans	Y	N
Program management	Y	N
Development of whole community partnerships	Y	N
Structures and mechanisms for information sharing between the public and private sector	Y	N
Implementing models, programs, and workforce enhancement initiatives	Y	N

Allowable Program Activities	SHSP	OPSG
Tools, resources, and activities that facilitate shared situational awareness between the public and private sectors	Y	N
Operational support	Y	N
Utilization of standardized resource management concepts	Y	N
Responding to an increase in the threat level under the National Terrorism Advisory System (NTAS), or needs in resulting from a National Special Security Event	Y	N
Reimbursement for select operational expenses associated with increased security measures at critical infrastructure sites incurred (up to 50% of the allocation)	Y	Y
Overtime for information, investigative, and intelligence sharing activities (up to 50% of the allocation)	Y	Y
Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation).	Y	Y
Hiring or maintaining staff positions/contractors/consultants at SLTT levels to deliver community preparedness training, resources and material to schools, community-based organizations, faith-based institutions and local businesses.	Y	N
Hiring or maintaining staff positions/contractors/consultants to create, support and maintain CERT or Teen CERT	Y	N
Cost of migrating online services to the ".gov" domain	Y	N
Personal Protective Equipment	Y	Y
Explosive Device Mitigation and Remediation Equipment	Y	N
CBRNE Operational Search and Rescue Equipment	Y	N
Information Technology	Y	Y
Cybersecurity Enhancement Equipment	Y	N
Interoperable Communications Equipment	Y	Y
Detection	Y	Y
Decontamination	Y	N
Medical countermeasures	Y	Y
Power (e.g., generators, batteries, power cells)	Y	Y
CBRNE Reference Materials	Y	N
CBRNE Incident Response Vehicles	Y	N
Terrorism Incident Prevention Equipment	Y	Y
Physical Security Enhancement Equipment	Y	Y
Inspection and Screening Systems	Y	Y
Animal Care and Foreign Animal Disease	Y	N
CBRNE Prevention and Response Watercraft	Y	N
CBRNE Prevention and Response Unmanned Aircraft	Y	N
CBRNE Aviation Equipment	Y	N
CBRNE Logistical Support Equipment	Y	N
Intervention Equipment (e.g., tactical entry, crime scene processing)	Y	Y
Critical emergency supplies	Y	N

Allowable Program Activities	SHSP	OPSG
General use vehicle acquisition, lease, and rental	N	Y
Specialized vehicle acquisition, lease, and rental	Y	Y
Other Authorized Equipment	Y	Y
Overtime and backfill for emergency preparedness and response personnel attending DHS/FEMA-sponsored and approved training classes	Y	N
Overtime and backfill expenses for part-time and volunteer emergency response personnel participating in DHS/FEMA training	Y	N
Training workshops and conferences	Y	Y
Activities to achieve training inclusive of people with disabilities and others with access and functional needs and limited English proficiency	Y	N
Full- or part-time staff or contractors/consultants	Y	Y
Travel	Y	Y
Supplies	Y	N
Instructor certification/re-certification	Y	N
Coordination with Citizen Corps Councils and CERT in conducting training exercises	Y	N
Preparedness training for community preparedness initiatives and programs	Y	N
Interoperable communications training	Y	N
Activities to achieve planning inclusive of people with limited English proficiency	Y	N
Immigration enforcement training	Y	Y
Design, Develop, Conduct, and Evaluate an Exercise	Y	N
Full- or part-time staff or contractors/consultants	Y	N
Overtime and backfill costs, including expenses for part-time and volunteer emergency response personnel participating in DHS/FEMA exercises	Y	N
Implementation of Homeland Security Exercise and Evaluation Program (HSEEP)	Y	N
Activities to achieve exercises inclusive of people with disabilities and others with access and functional needs	Y	N
Travel	Y	N
Supplies	Y	N
Interoperable communications exercises	Y	N
Activities to achieve planning inclusive of people with limited English proficiency	Y	N
Hiring of full- or part-time staff or contractors/consultants to assist with the management of the respective grant program, application requirements, and compliance with reporting and data collection requirements	Y	Y
Development of operating plans for information collection and processing necessary to respond to DHS/FEMA data calls	Y	Y
Overtime and backfill costs	Y	Y

Allowable Program Activities	SHSP	OPSG
Travel	Y	Y
Meeting related expenses	Y	Y
Authorized office equipment	Y	Y
Recurring expenses such as those associated with cell phones and faxes during the period of performance of the grant program	Y	N
Leasing or renting of space for newly hired personnel during the period of performance of the grant program	Y	N
Completing the Civil Rights Evaluation Tool	Y	Y
Conducting activities related to evaluating project effectiveness for HSGP-funded projects	Y	Y
Integration and interoperability of systems and data, such as computer aided dispatch (CAD) and record management systems (RMS), to facilitate the collection	Y	N
Maturation, enhancement, and sustainment of designated state fusion centers, including information sharing and analysis, threat recognition, terrorist interdiction, and intelligence analyst training and salaries (subject to certain conditions)	Y	N
Regional counterterrorism training programs for small, medium, and large jurisdictions to exchange information and discuss the current threat environment, lessons learned, and best practices to help prevent, protect against, and mitigate acts of terrorism	Y	N
Coordination of regional full-scale training exercises (federal, state, and local law enforcement participation) focused on terrorism-related events	Y	N
Law enforcement Chemical, Biological, Radiological, Nuclear, and high yield Explosives detection and response capabilities, such as bomb detection/disposal capability development, sustainment, or enhancement, including canine teams, robotics platforms, and x-ray technology	Y	N
Coordination between fusion centers and other operational analytic, and investigative efforts	Y	N
Implementation, maintenance, and sustainment of the Nationwide Suspicious Activity Reporting Initiative	Y	N
Implementation of the "If You See Something, Say Something®" campaign	Y	N
Increase physical security, through law enforcement personnel and other protective measures, by implementing preventive and protective measures at critical infrastructure locations	Y	N

B. SHSP Other Direct Costs

Recipients must comply with all the requirements in 2 C.F.R. Part 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*). In general, recipients should consult with their FEMA HQ Preparedness Officer prior to making any investment that does not clearly meet the allowable expense criteria. Funding guidelines established within this section support four of the five mission areas—Prevention, Protection, Mitigation, and Response—and associated core capabilities within the Goal. While Recovery is part of the Goal, it is not explicitly part of the HSGP. Allowable investments made in support of

the national priorities, as well as other capability-enhancing projects must have a nexus to terrorism preparedness and fall into the categories of planning, organization, exercises, training, or equipment, aligned to building capability, closing capability gaps, and/or sustaining capabilities, as defined by CPG 201: THIRA/SPR Guide—3rd Edition (Comprehensive Preparedness Guide (CPG) 201, 3rd Edition (fema.gov)). Recipients are encouraged to use grant funds for evaluating grant-funded project effectiveness and return on investment. FEMA encourages recipients to provide the results of that analysis to FEMA.

a. *Planning*

SHSP funds may be used for a range of emergency preparedness and management planning activities, such as those associated with the development, review, and revision of the THIRA, SPR, continuity plans, and other planning activities that support the Goal and placing an emphasis on updating and maintaining a current Emergency Operations Plan (EOP) that conforms to the guidelines outlined in Comprehensive Preparedness Guide (CPG) 101 v3. Planning efforts can also include conducting risk and resilience assessments on increasingly connected cyber and physical systems, on which security depends, using the Infrastructure Resilience Planning Framework and related CISA resources.

Additionally, SHSP funds may be used for planning efforts related to state court cybersecurity, 911 call capabilities, alert and warning capabilities, and implementation of the REAL ID Act (Pub. L. No. 109-13).

b. *Organization*

Organization costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

States must justify proposed expenditures of SHSP funds to support organization activities within their IJ submission. Organizational activities include:

1. Program management;
2. Development of whole community partnerships, through groups such as Citizen Corp Councils;
3. Structures and mechanisms for information sharing between the public and private sector;
4. Implementing models, programs, and workforce enhancement initiatives to address ideologically inspired radicalization to violence in the homeland;
5. Tools, resources, and activities that facilitate shared situational awareness between the public and private sectors;
6. Operational Support;
7. Utilization of standardized resource management concepts such as typing, inventorying, organizing, and tracking to facilitate the dispatch, deployment, and recovery of resources before, during, and after an incident;
8. Responding to an increase in the threat level under the NTAS or needs resulting from a National Special Security Event;
9. Paying salaries and benefits for personnel to serve as qualified Intelligence Analysts. Per the *Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act (PRICE Act)*, Pub. L. No. 110-412, § 2, codified in relevant part, as amended, at 6 U.S.C. § 609(a), SHSP funds may be used to hire new staff and/or

contractor positions to serve as intelligence analysts to enable information/intelligence sharing capabilities, as well as support existing intelligence analysts previously covered by SHSP funding. *See* 6 U.S.C. § 609(a). To be hired as an intelligence analyst, staff and/or contractor personnel must meet at least one of the following criteria:

- Complete training to ensure baseline proficiency in intelligence analysis and production within six months of being hired; and/or,
- Previously served as an intelligence analyst for a minimum of two years either in a federal intelligence agency, the military, or state and/or local law enforcement intelligence unit.

10. All fusion center analytical personnel must demonstrate qualifications that meet or exceed competencies identified in the Common Competencies for state, local, and tribal intelligence analysts, which outlines the minimum categories of training needed for intelligence analysts. A certificate of completion of such training must be on file with the SAA and must be made available to the recipient's respective FEMA HQ Preparedness Officer upon request; and
11. Migrating online services to the ".gov" internet domain.

All SAAs are allowed to use up to 50% of their SHSP funding for personnel costs per 6 U.S.C. § 609(b)(2)(A). Personnel hiring, overtime, and backfill expenses are permitted under this grant only to the extent that such expenses are for the allowable activities within the scope of the grant. Personnel expenses may include, but are not limited to training and exercise coordinators, program managers and planners, intelligence analysts, and SWICs.

At the request of a recipient, the FEMA Administrator (or their designee) may grant a waiver of this 50% limitation under 6 U.S.C. § 609(b)(2)(B). Requests for waivers to the personnel cap must be submitted by the authorized representative of the SAA to FEMA in writing on official letterhead, with the following information:

1. Documentation explaining why the cap should be waived;
2. Conditions under which the request is being submitted; and
3. A budget and method of calculation of personnel costs both in percentages of the grant award and in total dollar amount.

Please see IB 421b, Clarification on the Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008 (Public L. No. 110–412 – the PRICE Act), dated October 30, 2019, for additional information on the waiver request process.

c. *Equipment*

Equipment costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

The 21 allowable prevention, protection, mitigation, and response equipment categories for HSGP are listed on the Authorized Equipment List (AEL). Some equipment items require prior approval from FEMA before obligation or purchase of the items. Please reference the grant notes for each equipment item to ensure prior approval is not required or to ensure prior approval is obtained if necessary. Recipients and subrecipients may purchase equipment not listed on the AEL, but **only** if they first seek and obtain **prior approval** from FEMA.

Unless otherwise stated, all equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, recipients will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment. Investments in emergency communications systems and equipment must meet applicable SAFECOM Guidance on Emergency Communications Grants (SAFECOM Guidance) recommendations. Such investments must be coordinated with the SWIC and the State Interoperability Governing Body to ensure interoperability and long-term compatibility. For personal protective equipment (PPE), recipients are encouraged to give procurement preference to domestic manufacturers of PPE or PPE raw materials to the maximum practicable and allowed by law.

Grant funds may be used for the procurement of medical countermeasures. Procurement of medical countermeasures must be conducted in collaboration with state, city, or local health departments that administer federal funds from the Department of Health and Human Services for this purpose and with existing Metropolitan Medical Response System committees where available, to sustain their long-term planning for appropriate, rapid, and local medical countermeasures, including antibiotics and antidotes for nerve agents, cyanide, and other toxins. Procurement must have a sound threat-based justification with an aim to reduce the consequences of mass casualty incidents during the first crucial hours of a response. Prior to procuring pharmaceuticals, recipients must have in place an inventory management plan to avoid large periodic variations in supplies due to coinciding purchase and expiration dates. Recipients are encouraged to enter into rotational procurement agreements with vendors and distributors. Purchases of pharmaceuticals must include a budget for the disposal of expired drugs within each fiscal year's Period of Performance (POP) for HSGP. The cost of disposal cannot be carried over to another FEMA grant or grant period.

EMS electronic patient care data systems should comply with the most current data standard of the National Emergency Medical Services Information System.

Recipients are reminded that school hardening is an eligible activity under SHSP. School hardening measures include but are not limited to:

1. Bullet resistant doors and glass;
2. Hinge-locking mechanisms;
3. Immediate notification to emergency 911 systems;
4. Mechanisms that provide real time actionable intelligence directly to law enforcement and first responders;
5. Installation of distraction devices or other countermeasures administered by law enforcement; and
6. Other measures determined to provide significant improvements to schools' physical security.

Additionally, SHSP funds may be used for equipment purchases related to state court cybersecurity, 911 call capabilities, alert and warning capabilities, and implementation of the REAL ID Act (Pub. L. No. 109-13).

sUAS and critical emergency supply costs are allowable under this program. See the Preparedness Grants Manual for more information.

1. General Purpose Equipment

HSGP allows expenditures on general purpose equipment if it aligns to and supports one or more core capabilities identified in the Goal and has a nexus to terrorism preparedness. General purpose equipment, like all equipment funded under the HSGP, must be sharable through the EMAC[4] and allowable under 6 U.S.C. § 609, and any other applicable provision of the *Homeland Security Act of 2002*, as amended. Examples of such general-purpose equipment may include:

- Law enforcement/general use vehicles (OPSG only);
- Emergency medical services equipment and vehicles;
- Fire service equipment and vehicles, to include hose, pump accessories, and foam concentrate for specialized chemical/biological/radiological/nuclear/explosive (CBRNE) response;
- Interoperability of data systems, such as CAD and RMS; and
- Office equipment for staff[5] engaged in homeland security program activity.

2. Controlled Equipment

For decades, the federal government has provided equipment to state, local, and tribal LEAs through federal grants. Some federal grant programs have assisted LEAs as they carry out their critical missions to keep the American people safe. The equipment acquired by LEAs through these programs includes administrative equipment, such as office furniture and computers. Some federal grant programs also may include military and military-styled equipment, firearms, and tactical vehicles provided by the federal government, including property covered under 22 C.F.R. Part 121 and 15 C.F.R. Part 774 (collectively, "controlled equipment").

However, not all equipment that is considered controlled equipment is allowable under the HSGP. Grant funds under this program may not be used for the purchase of equipment not approved by DHS/FEMA. For example, the purchase of tracked armored vehicles, camouflage uniforms, weapons, and weapons accessories, including ammunition, is generally not allowed with HSGP funds.

DHS/FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on certain equipment expenditures while continuing to support these investments when there is a justifiable need. Further, DHS/FEMA will continue to maintain an awareness of the evolving policy developments related to certain equipment expenditures and keep grant recipients up to date on future developments.

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[4] Except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time.

[5] This applies to all homeland security personnel and is not limited to M&A staff, and costs are to be captured outside the cap on M&A costs.

For additional information on controlled equipment, see IB # 530 Guidance to Recipients and Subrecipients of FEMA's Non-Disaster Preparedness Grants Policy on Prohibited and Controlled Equipment Policy Recission.

3. Construction and Renovation

Construction and renovation costs to achieve capability targets related to preventing, preparing for, protecting against, or responding to acts of terrorism are allowed under this program. For construction and renovation costs to be allowed, they must be specifically approved by DHS/FEMA in writing prior to the use of any program funds. Limits on the total amount of grant funding that may be used for construction or renovation may apply. Additionally, recipients are required to submit SF-424C and SF-424D.

All proposed construction and renovation activities must undergo an EHP review, including approval of the review from FEMA, prior to undertaking any action related to the project. Failure of a grant recipient to meet these requirements may jeopardize Federal funding. Please see the Preparedness Grants Manual for more information.

d. *Training and Exercises*

Training and exercise costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual. Recipients are encouraged to consider tuition-free courses offered by FEMA first, before investing in training. For more information and a catalog of courses please refer to the National Preparedness Course Catalog at the National Training and Education Division (NTED).

Allowable training-related costs under HSGP include the establishment, support, conduct, and attendance of training specifically identified under the SHSP program and/or in conjunction with emergency preparedness training by other federal agencies (e.g., HHS and Department of Transportation [DOT]). Training conducted using HSGP funds should address a performance gap identified through an Integrated Preparedness Plan (IPP) or other assessments (e.g., National Emergency Communications Plan Goal Assessments) and contribute to building a capability that will be evaluated through a formal exercise. When developing new courses, recipients are encouraged to apply the Analysis, Design, Development, Implementation, and Evaluation model of instructional design.

1. Law Enforcement Readiness

SHSP grant funds may be requested and may be approved on a case-by-case basis for immigration enforcement training in support of the border security mission. Requests for training will be evaluated on a case-by-case basis and can only be used for certification in the section 287(g) program provided by DHS/ICE. SHSP subrecipients with agreements under section 287(g) of the *Immigration and Nationality Act* (INA) (8 U.S.C. § 1357(g)) to receive delegated authority for immigration enforcement within their jurisdictions may also be reimbursed for section 287(g) related operational activities with approval from FEMA on a case-by-case basis.

e. *Maintenance and Sustainment*

Maintenance and sustainment related costs are allowed under this program only as described in the Preparedness Grants Manual.

f. *Travel*

Domestic travel costs are allowed under this program, as provided for in this NOFO. International travel is not an allowable cost under this program unless approved in advance by DHS/FEMA. See the Allowable Cost Matrix above for more information on allowable travel activities under SHSP.

g. *Personnel*

Personnel hiring, overtime, and backfill expenses are permitted under this grant to perform allowable HSGP planning, organization, training, exercise, and equipment activities. All recipients and subrecipients of HSGP funds, including SHSP allocations, may not use more than 50% of their awards to pay for personnel activities unless a waiver is approved by FEMA. For more information on the 50% personnel cap, please see FEMA IB 421b, Clarification on the *Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008* (Pub. L. No. 110-412) – the PRICE Act.

HSGP funds may not be used to support the hiring of any personnel to fulfill traditional public health and safety duties nor to supplant traditional public health and safety positions and responsibilities. The following definitions apply to personnel costs:

- **Hiring**. State and local entities may use grant funding to cover the salary of newly hired personnel who are exclusively undertaking allowable FEMA grant activities as specified in this guidance. This may not include new personnel who are hired to fulfill any non-FEMA program activities under any circumstances. Hiring will always result in a net increase of Full Time Equivalent (FTE) employees.
- **Overtime**. These expenses are limited to the additional costs that result from personnel working over and above 40 hours of weekly work time as the direct result of their performance of FEMA-approved activities specified in this guidance. Overtime associated with any other activity is not eligible.
- **Backfill-Related Overtime**. Also called "Overtime as Backfill," these expenses are limited to overtime costs that result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to FEMA-approved activities outside their core responsibilities. Neither overtime nor backfill expenses are the result of an increase of FTE employees.
- **Supplanting**. Grant funds will be used to supplement existing funds and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or recipients may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

1. Operational Overtime Costs

In support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism and other catastrophic events, operational overtime costs are allowable for increased protective security measures at critical infrastructure sites or other high-risk locations and to

enhance public safety during mass gatherings and high-profile events. In that regard, HSGP recipients are urged to consider using grant funding to support soft target preparedness activities. SHSP funds may be used to support select operational expenses associated with increased security measures in the authorized categories cited in the table below, but this table is not exhaustive. FEMA retains the discretion to approve other types of requests that do not fit within one of the categories of the table.

Authorized Operational Overtime Categories

	Category	Description
1	**National Terrorism Advisory System (NTAS)**	Security measures in response to an increase in the threat level under the NTAS to an "elevated" or "imminent" alert status. FEMA Information Bulletin No. 367, Impact of National Terrorism Advisory System on Homeland Security Grant Programs, remains applicable; therefore, advance authorization from FEMA is not required. Refer to National Terrorism Advisory System | Homeland Security (dhs.gov) for additional information on the NTAS.
2	**National Security Special Event (NSSE)**	Security measures for a designated NSSE. NSSEs are events of national or international significance deemed by DHS to be a potential target for terrorism or other criminal activity.
3	**Special Event Assessment Rating (SEAR) Level 1 through Level 4 Events**	Security measures required for SEAR Level 1 through Level 4 events as designated by DHS and included in the DHS National Special Events List, as defined below: • SEAR 1: A significant event with national and/or international importance that may require extensive federal interagency support. • SEAR 2: A significant event with national and/or international importance that may require some level of federal interagency support. • SEAR 3: An event of national and/or international importance that requires only limited federal support. • SEAR 4: An event with limited national importance that is managed at state and local level. NOTE: In cases where a threat of terrorism can be associated with a SEAR Level 5 event, the event planners should coordinate with their state or territory Homeland Security Advisor to seek re-adjudication of the SEAR rating. Operational overtime for security measures associated with such events will be considered for approval by FEMA if re-adjudication results in a SEAR 1 through 4 rating.
4	**States of Emergency**	Declarations of states of emergency by the Governor associated with a terrorism-related threat or incident. This excludes Presidentially declared major disasters or emergencies where

	Category	Description
		federal funding support for the proposed grant-funded activity is made available through the FEMA Public Assistance program or other federal disaster grants.
5	**National Critical Infrastructure Prioritization Program (NCIPP)**	Protection of Level 1 and Level 2 facilities identified through DHS's NCIPP based on a terrorism-related threat to critical infrastructure.
6	**Directed Transit Patrols**	Targeted security patrols in airports and major transit hubs based on a terrorism-related threat to transportation systems.
7	**Other Related Personnel Overtime Costs**	Overtime costs may be authorized for personnel assigned to directly support any of the security activities relating to the categories above. Examples include firefighters and emergency medical services personnel; public works employees who may be responsible for installing protective barriers and fencing; public safety personnel assigned to assist with event access and crowd control; emergency communications specialists; backfill and overtime for staffing state fusion centers; state Active Duty National Guard deployments to protect critical infrastructure sites, including all resources that are part of the standard National Guard deployment package (note: consumable costs, such as fuel expenses, are not allowed except as part of the standard National Guard deployment package); contract security services for critical infrastructure sites; participation in Regional Resiliency Assessment Program activities, increased border security activities in coordination with USBP, etc.
8	**Operational Support to a Federal Agency**	Overtime costs are allowable for personnel to participate in information, investigative, and intelligence sharing activities related to homeland security/terrorism preparedness and specifically requested by a federal agency. Allowable costs are limited to overtime associated with federally requested participation in eligible activities, including anti-terrorism task forces, Joint Terrorism Task Forces (JTTFs), Area Maritime Security Committees (as required by the *Maritime Transportation Security Act of 2002*), DHS Border Enforcement Security Task Forces, and Integrated Border Enforcement Teams. In addition, reimbursement for operational overtime law enforcement activities related to combating transnational crime organizations in support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism is an allowable expense under SHSP on a case-by-case basis. Grant funding can only be used in proportion to the federal man-hour estimate and only after funding for these activities from

	Category	Description
		other federal sources (i.e., FBI JTTF payments to state and local agencies) has been exhausted.
9	**Response to Catastrophic Incidents that are Acts of Terrorism**	Operational overtime is allowable for responding to acts of terrorism. This includes overtime accrued during the immediate response to events, such as mass casualty acts of targeted violence or other activities where the act (i) is dangerous to human life or potentially destructive of critical infrastructure or key resources; and (ii) is a violation of the criminal laws of the United States or of any State or other subdivision of the United States, and the act appears to be intended to coerce civilian populations, influence the policy of a government by intimidation or coercion, or affect the conduct of a government by mass destructions, assassination, or kidnapping.

All allowable operational overtime costs are also subject to the administration requirements outlined in the following subsection.

2. Administration of Operational Overtime Requests

- Except for an elevated NTAS alert, SHSP funds may only be spent for operational overtime costs upon prior written approval by FEMA. The SAA must submit operational overtime requests in writing to its assigned FEMA HQ Preparedness Officer. FEMA will consider requests for special event activities up to one year in advance. However such requests must be within the award's current POP and must not result in the need for a request to extend the period of performance. SAAs should contact FEMA Grants News 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, for clarification.
- All operational overtime requests must clearly explain how the request meets the criteria of one or more of the categories listed in the table above. Requests must address the threat environment as it relates to the event or activity requiring operational overtime support and explain how the overtime activity is responsive to the threat. Request letters sent to FEMA must be UNCLASSIFIED but may be labeled "For Official Use Only." If explaining the threat will require the sharing of classified information, the letter should state that fact. FEMA will then plan for the sharing of classified information through official channels;
- Post-event operational overtime requests will only be considered on a case-by-case basis, where it is demonstrated that exigent circumstances prevented submission of a request in advance of the event or activity;
- Under no circumstances may FEMA grant funding be used to pay for costs already supported by funding from another federal source; and
- FEMA will consult and coordinate with appropriate DHS components as necessary to verify information used to support operational overtime requests.

h. ***Secure Identification***
Secure identification costs are allowed under this program. SHSP funds may be used to support the implementation activities associated with the Western Hemisphere Travel Initiative (WHTI), including the issuance of WHTI-compliant tribal identification cards.

i. ***Multiple Purpose or Dual-Use of Funds***
Please see the Preparedness Grants Manual for information on multiple purpose of dual-use of funds under HSGP.

C. OPSG Other Direct Costs
Recipients must comply with all the requirements in 2 C.F.R. Part 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*). In general, recipients should consult with their FEMA HQ Preparedness Officer prior to making any investment that does not clearly meet the allowable expense criteria. Funding guidelines established within this section support four of the five mission areas—Prevention, Protection, Mitigation, and Response—and associated core capabilities within the Goal. While Recovery is part of the Goal, it is not explicitly part of the HSGP. Allowable investments made in support of the national priorities, as well as other capability-enhancing projects must have a nexus to terrorism preparedness and fall into the categories of planning, organization, exercises, training, or equipment, aligned to building capability, closing capability gaps, and/or sustaining capabilities, as defined by CPG 201: THIRA/SPR Guide—3rd Edition (Comprehensive Preparedness Guide (CPG) 201, 3rd Edition (fema.gov)). Recipients are encouraged to use grant funds for evaluating grant-funded project effectiveness and return on investment. FEMA encourages recipients to provide the results of that analysis to FEMA.

a. ***Planning***
Planning costs are allowed under this program only as described in this funding notice. See the Allowable Cost Matrix above for more information on allowable planning activities for OPSG.

b. ***Organization***
Organization costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual. See the Allowable Cost Matrix above for more information on allowable organizational activities for OPSG.

c. ***Equipment***
Equipment costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

OPSG equipment is intended to be incidental to the enhanced border security operations being performed. The grant is not intended to be used to outfit or supply general equipment to SLTT law enforcement agencies. Equipment must be relatable to and justified by the operational benefit it will provide. Each appropriate OPSG sector coordinator is required to keep an inventory of OPSG purchased equipment that includes at a minimum: 1) grant funding year; 2) purchase amount; 3) purchase date; 4) purchase quantity; 5) equipment ID; 6) source of funding for the property, including the Federal Award Identification Number; 7) who holds title to the property; 8) federal share percent of the property; 9) location of the property; 10) use and condition of the property; 11) disposal date; and 12) brief disposal justification information and

sale price if sold. Each Operations Order/FRAGO will require that each friendly force submit the equipment inventory for each Operations Order/FRAGO submission.

1. **Equipment Marking**. Because equipment purchased with OPSG funding is intended to be used to support OPSG activities, it **may** be appropriately marked to ensure its ready identification and primary use for that purpose. **When practicable**, any equipment purchased with OPSG funding **should** be prominently marked as follows: **"Purchased with DHS funds for Operation Stonegarden Use."**
2. **Fuel Cost and Mileage Reimbursement.** There is no cap for reimbursement of fuel or mileage costs in support of operational activities. Subrecipients and friendly forces may not claim reimbursements for both mileage and fuel/maintenance for the same equipment at the same time.
3. **Vehicle and Equipment Acquisition, Including Leasing and Rentals**. Allowable purchases under OPSG include patrol vehicles and other mission-specific equipment whose primary purpose is to increase operational capabilities on or near a border nexus in support of approved border security operations. A detailed justification must be submitted to the respective FEMA HQ Preparedness Officer prior to purchase.
4. **Medical Emergency Countermeasures.** Allowable purchases under OPSG include narcotic antagonist pharmaceuticals, detection and identification equipment, safe storage and transportation, personnel protective equipment, and initial equipment training, as reflected in the AEL.

1. Requirements for sUAS

sUAS are allowable under the HSGP. See the Preparedness Grants Manual for more information.

2. General Purpose Equipment

HSGP allows expenditures on general purpose equipment if it aligns to and supports one or more core capabilities identified in the Goal and has a nexus to terrorism preparedness. General purpose equipment, like all equipment funded under the HSGP, must be sharable through the EMAC[6] and allowable under 6 U.S.C. § 609, and any other applicable provision of the *Homeland Security Act of 2002*, as amended. Examples of such general-purpose equipment may include:

- Law enforcement/general use vehicles (OPSG only);
- Emergency medical services equipment and vehicles;
- Fire service equipment and vehicles, to include hose, pump accessories, and foam concentrate for specialized chemical/biological/radiological/nuclear/explosive (CBRNE) response;
- Interoperability of data systems, such as CAD and RMS; and
- Office equipment for staff[7] engaged in homeland security program activity.

[6] Except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time.
[7] This applies to all homeland security personnel and is not limited to M&A staff, and costs are to be captured outside the cap on M&A costs.

3. Controlled Equipment

For decades, the federal government has provided equipment to state, local, and tribal LEAs through federal grants. Some federal grant programs have assisted LEAs as they carry out their critical missions to keep the American people safe. The equipment acquired by LEAs through these programs includes administrative equipment, such as office furniture and computers. Some federal grant programs also may include military and military-styled equipment, firearms, and tactical vehicles provided by the federal government, including property covered under 22 C.F.R. Part 121 and 15 C.F.R. Part 774 (collectively, "controlled equipment").

However, not all equipment that is considered controlled equipment is allowable under the HSGP. Grant funds under this program may not be used for the purchase of equipment not approved by DHS/FEMA. For example, the purchase of tracked armored vehicles, camouflage uniforms, weapons, and weapons accessories, including ammunition, is generally not allowed with HSGP funds.

DHS/FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on certain equipment expenditures while continuing to support these investments when there is a justifiable need. Further, DHS/FEMA will continue to maintain an awareness of the evolving policy developments related to certain equipment expenditures and keep grant recipients up to date on future developments.

4. Construction and Renovation

OPSG funds may not be used for any construction.

d. *Training and Exercises*

Training and exercise costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual (e.g., related to EHP compliance). Recipients are encouraged to consider tuition-free courses offered by FEMA first, before investing in training. For more information and a catalog of courses please refer to the National Preparedness Course Catalog at NTED.

1. Law Enforcement Readiness

OPSG grant funds may be used to increase operational, material, and technological readiness of SLTT law enforcement agencies. The Delegation of Immigration Authority, Section 287(g) of the *Immigration and Nationality Act (INA)* program allows a state or local law enforcement entity to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), to receive delegated authority for immigration enforcement within their jurisdictions.

OPSG grant funds may be requested and may be approved on a case-by-case basis for immigration enforcement training in support of the border security mission. Requests for training will be evaluated on a case-by-case basis and can only be used for certification in the section 287(g) program provided by DHS/ICE. OPSG subrecipients with agreements under section 287(g) of the *INA* (8 U.S.C. § 1357(g)) to receive delegated authority for immigration

enforcement within their jurisdictions may also be reimbursed for section 287(g) related operational activities with approval from FEMA on a case-by-case basis. For OPSG, subrecipients must be authorized by USBP Headquarters and Sectors, and operational activities must be coordinated through a USBP Sector.

e. *Maintenance and Sustainment*

Maintenance and sustainment related costs are allowed under this program only as described in the Preparedness Grants Manual.

f. *Travel*

Domestic travel costs are allowed under this program, as provided for in this NOFO and in the Preparedness Grants Manual. International travel is not an allowable cost under this program unless approved in advance by DHS/FEMA. See the Allowable Cost Matrix in Appendix B for more information on allowable travel activities under OPSG.

g. *Personnel*

Personnel hiring, overtime, and backfill expenses are permitted under this grant to perform allowable HSGP planning, organization, training, exercise, and equipment activities. Under OPSG, overtime costs are allowable only in so far as they meet the intent of the program. All recipients and subrecipients of HSGP funds, including OPSG allocations, may not use more than 50% of their awards to pay for personnel activities unless a waiver is approved by FEMA. For more information on the 50% personnel cap, please see FEMA IB 421b, *Clarification on the Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008* (Pub. L. No. 110-412 – the PRICE Act).

Further, changes in scope or objective also require FEMA's prior written approval pursuant to 2 C.F.R. § 200.308(c)(1). If the cost changes are allowable under the grant, a FRAGO must be submitted to Homeland Security Information Network (HSIN) to obtain FEMA's prior written approval of such changes in accordance with 2 C.F.R. § 200.308(c)(1). These modifications will be annotated in the annex section of the FRAGO.

OPSG funds may be used for domestic travel and *per diem*, including costs associated with the deployment/redeployment of personnel to border areas and for travel associated with law enforcement entities assisting other local jurisdictions in law enforcement activities. In addition, allowable costs include supporting up to six-month deployment of law enforcement personnel to critical Southwest Border locations for operational activities (travel costs must be in accordance with applicable travel regulations).

OPSG funds may be used to pay additional current part-time law enforcement personnel salaries to bring them to temporary full-time status. OPSG funds may support a Governor's request to activate, deploy, or redeploy specialized National Guard Units/Package and/or elements of state law enforcement serving as friendly forces to increase or augment specialized/technical law enforcement elements' operational activities. Costs associated with backfill for personnel supporting operational activities are allowable.

As with all OPSG personnel costs, OPSG grant funds will be used to supplement existing funds

and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or recipients may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

1. Operational Overtime Costs

OPSG funds should be used for operational overtime costs associated with law enforcement activities in support of border law enforcement agencies for enhanced border security. Overtime pay is for increased patrol time for certified public safety officers, along with limited support for other law enforcement direct support personnel (e.g., Communication Officers/Dispatchers, non-sworn patrol pilots, etc.). Overtime shall be reimbursed consistent with the non-federal entity's overtime policy and the requirements as stated below:

- Overtime is time worked that exceeds the required number of hours during an employee's designated shift;
- Overtime must be worked to increase patrol capacity and be in support of identified and approved USBP border security operations;
- The OPSG overtime hourly rate of pay will be no more than the approved overtime rate per local law and policy and must be in accordance with applicable state and federal regulations;
- All overtime expenses under OPSG must be reasonable for the services rendered and conform to the non-federal entity's established written policy, which must apply to both federally funded and non-federally funded activities and comply with the other applicable requirements under 2 C.F.R. §§ 200.430-200.431; and
- The non-federal entity may not utilize OPSG funding to pay for an employee's overtime hours or pay that exceeds 16-hours worked in any 24-hour period.

2. Intelligence Support

Per 6 U.S.C. § 609(a), OPSG funds may, as applicable and operationally beneficial, be used to pay salaries and benefits or overtime for personnel to serve as qualified Intelligence Analysts to enable and enhance information/intelligence sharing capabilities, as well as support existing intelligence analysts previously covered by OPSG funding. Qualified OPSG-funded intelligence analysts can be assigned to an applicable law enforcement facility/intelligence function as long as information/intelligence sharing is maintained. To serve as an OPSG-funded intelligence analyst, personnel must meet at least one of the following criteria:

- Complete training to ensure baseline proficiency in intelligence analysis and production within six months of being hired; and/or,
- Previously served as an intelligence analyst for a minimum of two years either in a federal intelligence agency, the military, or state and/or local law enforcement intelligence unit.

OPSG-funded intelligence analysts must demonstrate qualifications that meet or exceed competencies identified in the Common Competencies for state, local, and tribal intelligence analysts, which outlines the minimum categories of training needed for intelligence analysts. A certificate of completion of such training must be on file with the SAA and must be made

available to the recipient's respective FEMA HQ Preparedness Officer upon request.

h. *Regional Border Projects*

Recipients are encouraged to prioritize the acquisition and development of regional projects on the borders to maximize interoperability and coordination capabilities among federal agencies and with state, local, and tribal law enforcement partners. Such regional projects include:

1. Communications equipment;
2. Radio systems and repeaters;
3. Integration with regional intelligence and information sharing effort (i.e., fusion centers):
   - Intelligence analysts.
4. Situational Awareness equipment:
   - License Plate Reader Networks;
   - Visual detection and surveillance systems;
   - Sensor Systems;
   - Radar Systems (for air and/or marine incursions); and
   - Aircraft systems (manned or unmanned).

i. *Transportation Costs and Costs Related to the Provision of Acute Medical Care*

Vehicle, fuel, mileage, operational overtime, and other types of costs otherwise allowable under an OPSG award's HSGP NOFO are allowable where the costs are in support of the necessary transportation of individuals interdicted while carrying out allowable OPSG-funded activities or operations from the point of interdiction to an applicable law enforcement facility.

When transporting individuals interdicted in the course of carrying out allowable OPSG-funded activities or operations from the point of interdiction, non-Federal entities may charge vehicle, fuel, mileage, operational overtime, and other types of costs otherwise allowable under an OPSG award's HSGP NOFO associated with necessary transportation to provide acute medical care for individuals being transported from the point of interdiction. In such cases, non-Federal entities may also charge operational overtime for personnel that monitor a detained individual receiving acute medical care where the individual remains in the custody of the non-Federal law enforcement agency. Costs incurred beyond the acute phase of medical care (e.g., upon admission to the hospital, or after transfer from an acute care facility to the hospital) and costs incurred once the custodial responsibility of the individual is transferred to CBP are not allowable under OPSG.

Costs described above are allowable regardless of what entity or agency initially makes the interdiction. Personnel costs incurred by non-Federal law enforcement agencies eligible under OPSG (including deputies, corrections officers, or detention officers) for costs described above are allowable.

j. *Temporary or Term Appointments*

Temporary or term appointments are allowable under an OPSG award, so long as they comply with the following:

1. Subrecipients may utilize temporary or term appointments to augment the law enforcement presence on the borders. However, applying funds toward hiring full-time or permanent sworn public safety officers is unallowable;

2. OPSG-funded temporary or term appointments may not exceed the approved period of performance:
   - For OPSG purposes, temporary appointments are non-status appointments for less than one year; and
   - For OPSG purposes, term appointments are non-status appointments for one year, extendable for one year as necessary.
3. OPSG funding for temporary or term appointments may pay for salary only. Benefits are not allowable expenses for term or temporary employees;
4. OPSG remains a non-hiring program. Appropriate uses of temporary or term appointments include:
   - To carry out specific enforcement operations work for ongoing OPSG-funded patrols throughout the Sector Area of Operation;
   - To staff operations of limited duration, such as OPSG-enhanced enforcement patrols targeting specific locations or criminal activity; and
   - To fill OPSG positions in activities undergoing transition or personnel shortages and local backfill policies (medical/military deployments).
5. OPSG term and temporary appointments must have all necessary certifications and training to enforce state and local laws. OPSG funds will not be used to train or certify term or temporary appointments except as otherwise stated in this NOFO and the Preparedness Grants Manual; and
6. FEMA provides no guarantee of funding for temporary or term appointments. In addition to the terms of this NOFO, subrecipients must follow their own applicable policies and procedures regarding temporary or term appointments.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 4

U.S. Dep't of Homeland Sec., *Notice of Funding Opportunity (NOFO): Fiscal Year 2025 Emergency Management Performance Grant* (July 28, 2025)

The Department of Homeland Security (DHS)

Notice of Funding Opportunity (NOFO)

Fiscal Year 2025 Emergency Management Performance Grant Program

Fraud, waste, abuse, mismanagement, and other criminal or noncriminal misconduct related to this program may be reported 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.

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1. Basic Information

A. Agency Name	U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA)
B. NOFO Title	Fiscal Year 2025 Emergency Management Performance Grant (EMPG) Program
C. Announcement Type	Initial
D. Funding Opportunity Number	DHS-25- GPD-042-01-99
E. Assistance Listing Number	97.042
F. Expected Total Funding	$319.5 million See Appendix D for the FY 2025 EMPG Program Allocations
G. Anticipated Number of Awards	56 awards
H. Expected Award Range	$825,152 – $24,392,241
I. Projected Application Start Date	07/28/25 09:00 a.m. Eastern Time (ET)
J. Projected Application End Date	08/11/2025 05:00 p.m. Eastern Time (ET)
K. Anticipated Funding Selection Date	No later than August 23, 2025
L. Anticipated Award Date	No later than September 30, 2025
M. Projected Period of Performance Start Date	10/01/2024
N. Projected Period of Performance End Date	09/30/2027

O. Executive Summary	The Fiscal Year (FY) 2025 Emergency Management Performance Grant (EMPG) Program is one of the grant programs that constitute DHS/FEMA's focus on all-hazards emergency preparedness, including the evolving threats and risks associated with natural disasters. EMPG Program funding is awarded to the 56 states and territories using a population-based allocation methodology. The main purpose of the program is to support the emergency management needs of state, local, tribal, and territorial governments, primarily through investments in planning, training, and exercise activities and to help cover the salaries of emergency management personnel.
P. Agency Contact	**a.** ***Program Office Contact*** FEMA has assigned region specific Preparedness Officers for the EMPG Program. If you do not know your Preparedness Officer, reference FEMA Regional Grant Program Office or contact FEMA Grants News 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. **b.** ***FEMA Grants News*** 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. FEMA Grants News Team is reachable at fema-grants-news@fema.dhs.gov OR (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET. **c.** ***Grant Programs Directorate (GPD) Award Administration Division*** GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. AAD can be contacted at ASK-GMD@fema.dhs.gov. **d.** ***FEMA Regional Offices*** FEMA Regional Offices also may provide fiscal support, including pre- and post-award administration and technical assistance. FEMA Regional Office contact information is available at https://www.fema.gov/fema-regional-contacts. **e.** ***Civil Rights*** Consistent with Executive Order 14173, *Ending Illegal Discrimination & Restoring Merit-Based Opportunity*, the FEMA Office of Civil Rights is responsible for ensuring compliance with and enforcement of federal civil rights obligations in connection with

	programs and services conducted by FEMA. They are reachable at FEMA-CivilRightsOffice@fema.dhs.gov. **f. *Environmental Planning and Historic Preservation*** The FEMA Office of Environmental Planning and Historic Preservation (OEHP) provides guidance and information about the EHP review process to FEMA programs and recipients and subrecipients. Send any inquiries regarding compliance for FEMA grant projects under this NOFO to FEMA-OEHP-NOFOQuestions@fema.dhs.gov. **g. *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. *FEMA Preparedness Toolkit*** The FEMA Preparedness Toolkit (PrepToolkit) provides access to tools and resources needed to implement the National Preparedness System and provide a collaborative space for communities completing the Unified Reporting Tool (URT). Recipients complete and submit their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR), and other required assessments using the PrepToolkit. For assistance, contact support@preptoolkit.fema.dhs.gov. **i. *Preparedness Grants Manual*** Recipients seeking guidance on policies and procedures for managing preparedness grants should reference the Preparedness Grants Manual at Preparedness Grants Manual.

2. Eligibility

A. Eligible Entities/Entity Types	Only the following entities or entity types are eligible to apply. **a. *Applicants*** 1. Eligible Applicants State or territorial governments (the State Administrative Agency [SAA] or the state's Emergency Management Agency [EMA]). 2. Applicant Eligibility Criteria All 56 states and territories (collectively "state or territory") are eligible to apply for FY 2025 EMPG Program funds. Either the SAA or the EMA is eligible to apply directly to FEMA for EMPG Program

	funds on behalf of each state or territory. However, only one application will be accepted from each state or territory. **b.** ***Subapplicants*** Subapplicants and subawards are allowed. Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statutes, policies, and procedures including "staff American, stay in America" and security requirements. See the Preparedness Grants Manual for further information on requirements or restrictions related to subawards/subrecipients.
B. Project Type Eligibility	**a.** ***Unallowable Project Types*** See Section 3.F "Program-Specific Unallowable Costs" for more information on unallowable project types. **b.** ***Allowable Project Types*** Allowable costs for EMPG made in support of the national priorities must fall into the categories of planning, organization, equipment, training, or exercises (POETE). Please see Appendix A for more information on allowable costs. For costs that do not explicitly fit within one of the mentioned categories, recipients should consult their Regional EMPG Program Manager to determine whether the cost is allowable under the award. In addition to the descriptions and references in Appendix A, applicants should refer to the Preparedness Grants Manual.
C. Requirements for Personnel, Partners, and Other Parties	An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not: 1) a ***current employee, personnel, official, staff, or leadership*** of the non-federal entity; and 2) ***duly authorized to apply*** for an award on behalf of the non-federal entity at the time of application. Further, the Authorized Organization Representative (AOR) must be a duly authorized current employee, personnel, official, staff or leadership of the recipient and ***provide an email address unique to the recipient at the time of application and upon any change in assignment during the period of performance. Consultants or***

	contractors of the recipient are not permitted to be the AOR of the recipient. Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statutes, policies, and procedures including "staff American, stay in America" and security requirements. Subapplicants/subrecipients must submit short bios and resumes. This should include the type of entity, organizational leadership, and board members along with the both the names and addresses of the individuals. Resumes are subject to approval.
D. Maximum Number of Applications	The maximum number of applications that can be submitted is: 1. One per state or territory.
E. Additional Restrictions	Applicants/subapplicants or recipients/subrecipients are required to certify their compliance with federal statutes, DHS directives, policies, and procedures. **a.** ***National Incident Management System (NIMS) Implementation*** Applicants/subapplicants or recipients/subrecipients are required to certify their compliance with federal statutes, DHS directives, policies, and procedures. Prior to allocation of any federal preparedness awards, recipients must ensure and maintain adoption and implementation of NIMS. The list of objectives used for progress and achievement reporting is on FEMA's website at https://www.fema.gov/emergency-managers/nims/implementation-training. Relatedly, as a post-award requirement for FY 2025, all recipients and subrecipients in the 50 states and the District of Columbia must work toward achieving the Phase 3 National Qualification System (NQS) implementation objectives. In addition to executing their Implementation Plan, all jurisdictions shall work towards issuing Position Task Books to designated incident workforce personnel and ensure those personnel show progress in working toward task endorsements and minimum training requirements. Please see the Preparedness Grants Manual for more information on NIMS and NQS implementation requirements. **b.** ***Public Alert and Warning Preparedness***

	When applying EMPG funding to exercises, grant recipients and subrecipients shall include exercise objectives centered on practicing and validating their plans and procedures for sending emergency alerts to the public through the FEMA Integrated Public Alert and Warning System (IPAWS). Exercise objectives for public alert and warning should include practice of analysis and decision-making in sending an alert to the public; public alert message writing; procedures for coordination, review, and approval to send the alert; and practice in sending an alert though the IPAWS. Moreover, recipients should clearly outline how they will integrate public alert and warning tests into preparedness efforts and broader exercises. This may include detailed plans for integration and application of the IPAWS Exercise Starter Kit for emergency management planning, completion of training on the IPAWS Message Design Dashboard (MDD) alert message writing tool, and/or plans for incorporating routine IPAWS public alert testing, drills, and exercises as part of overarching preparedness initiatives. Recipients and subrecipients should develop After-Action Reports and Improvement Plans following drills and exercises that identify gaps and successes and define changes to continue to improve their capabilities to alert the public during emergent incidents that present a risk to the safety of the people and property in their communities. Additional information on IPAWS, including best practices, is available at Integrated Public Alert & Warning System | FEMA.gov. **c. *Emergency Management Assistance Compact (EMAC) Membership*** In support of the National Preparedness Goal (the Goal), EMPG Program recipients must belong to, be located in, or act as an EMAC temporary member state, except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not currently subject to these requirements, though FEMA encourages EMAC membership regardless. All assets supported in part or entirely with FY 2025 EMPG Program funding must, where applicable, be readily deployable to support emergency or disaster operations per existing EMAC agreements. **d. *Government Continuity Capabilities Planning*** Recipients are expected to work toward developing continuity plans for the assured performance of government essential functions and services as well as associated supporting activities. These plans should be consistent with the Continuity Guidance Circular and associated Continuity Assessment Tool. For additional information on continuity programs, guidance, and technical assistance, refer to the FEMA

	Continuity Resource Toolkit or contact FEMA at FEMA-CGC@fema.dhs.gov.
F. References for Eligibility Factors within the NOFO	Please see the following references provided below: 1. "Responsiveness Review Criteria" subsection 2. "Financial Integrity Criteria" subsection 3. "Supplemental Financial Integrity Criteria and Review" subsection 4. FEMA may/will request financial information such as Employer Identification Number (EIN) and bank information as part of the potential award selection. This will apply to everyone proposed, including subrecipients.
G. Cost Sharing Requirement	Applicants and subapplicants selected for this award must commit to an acceptable cost share agreement. Otherwise, they will not be funded.
H. Cost Share Description, Type and Restrictions	The FY 2025 EMPG Program has a cost-share requirement. The recipient contribution can be cash (hard match) or third-party in-kind (soft match). Eligible EMPG Program applicants shall agree to make available non-federal funds to carry out an EMPG Program award in an amount not less than 50% of the total project cost. In other words, the federal share applied toward the EMPG Program budget shall not exceed 50% of the total budget as submitted in the application and approved in the award. If the total project ends up costing more, the recipient is responsible for any additional costs; if the total project ends up costing less, the recipient may owe FEMA an amount required to ensure that the federal cost share is not in excess of 50%. A state must at least equally match (cash or third party in-kind) the federal contribution pursuant to sections 611(j) and 613(a) of the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Pub. L. No. 93-288), as amended, (42 U.S.C. §§ 5121 *et seq.*). Unless otherwise authorized by law, federal funds cannot be matched with other federal funds. The recipient's contribution should be specifically identified. These non-federal contributions have the same eligibility requirements as the federal share. DHS/FEMA administers cost-matching requirements in accordance with 2 C.F.R. § 200.306. To meet matching requirements, the recipient contributions must be verifiable, reasonable, allowable, allocable, and necessary under the grant program, and in compliance with all applicable federal requirements and regulations.
I. Cost Sharing Calculation Example	For example, if the federal award were at a 50% cost share and the total approved budget cost was $100,000, then:

	• Federal share is 50% of $100,000 = $50,000 • Recipient share is 50% of $100,000 = $50,000 However, with this example, if the total cost ended up being $120,000, the federal share would remain at 50% of the total approved budget at the time of application of $100,000, or $50,000. If the total cost ended up being $80,000, then the 50% federal share would decrease to $40,000, and the recipient cost share would be $40,000. In accordance with 48 U.S.C. § 1469a, cost-match requirements are waived for the insular areas of the U.S. territories of American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands.
J. Required information for verifying Cost Share	Applicants should submit the following cost share (or match) documents: 1. A detailed description of the source of the cost share/matching funds. If funds or services are to be provided by a third party for in-kind match, a dated letter of commitment is required to document the donation. Please see the "Application Format and Contents" section for more details. Maintenance of Effort Not applicable.

3. Program Description

A. Background, Program Purpose, and Program History
The Fiscal Year (FY) 2025 Emergency Management Performance Grant (EMPG) Program provides funding to states or territorial governments to enhance their emergency management capabilities. The funding allows recipients to address risks and strengthen core emergency management functions.

Last year, all 56 states and territories were awarded EMPG Program funding, as were two Compact of Free Association nations. For a full list of FY 2024 recipients, please refer to Information Bulletin (IB) 517a.

B. Goals, Objectives, and Priorities
Goals: The goal of the FY 2025 EMPG Program is to provide funds to assist state, local, tribal, and territorial emergency management agencies to implement the National Preparedness System (NPS) and to support the Goal of a secure and resilient nation.

Objectives: The EMPG funds will address the increasing range and complexity of disasters, support the wide variety of communities we serve, and complement the nation's growing expectations of the emergency management community by meeting the following objectives:

1. Building or sustaining those preparedness capabilities that are identified as high priority through the Threat and Hazard Identification and Risk Assessment (THIRA)/Stakeholder Preparedness Review (SPR) process and other relevant information sources (see Priorities section below);
2. Closing capability gaps that are identified in the state or territory's most recent SPR; and
3. Building continuity capabilities to ensure governmental essential functions and services resilience.

DHS/FEMA requires EMPG Program recipients to complete a THIRA/SPR. Additional information on the THIRA/SPR process, including other NPS tools and resources, can be found at National Preparedness System | FEMA.gov and the Preparedness Grants Manual (FM-207-23-001).

Priorities: All EMPG Program applicants are required to develop and submit a Work Plan as described in Appendix B below. All EMPG Program Work Plans will require final approval by the applicable FEMA Regional Administrator (RA). The applicant must work with the RA or designated Regional EMPG Program Manager to ensure that appropriate regional and state/territory priorities are effectively addressed in the Work Plan.

Priorities, and associated EMPG Program-funded projects, must be mutually agreed to by the recipient and RA. Identification of priorities and development of the EMPG Program Work Plan should involve a collaborative negotiation process through which a common set of priorities will emerge based on a combination of state/territory priorities, regional priorities, and national priorities (as outlined in the table below). State/territory priorities should be primarily driven by

the THIRA/SPR process, as explained in the Objectives section above. Other relevant information sources, such as: 1) after-action reports (AARs) following exercises or real-world events; 2) audit and monitoring findings; 3) Hazard Mitigation Plans; and/or 4) other deliberate planning products may also be used to inform state/territory priorities. Additionally, states and territories are urged to consider the funding needs of local governments when developing their funding priorities. Regional priorities will be determined by the RA based on their unique knowledge of the region's preparedness and emergency management needs, including broader insight into common capability gaps across the region and potential opportunities for economies of scale to capitalize on those commonalities. Regional priorities should also be based on an analysis of THIRA/SPR data and other information sources provided by the states/territories in their area(s) of responsibility. Ideally, all EMPG Program funded projects, as outlined in the approved FY 2025 EMPG Program Work Plan, will support the priorities identified through this approach.

Through the priority development and negotiation process, each region and state/territory should discuss state/territory, regional, and national priorities. Converging their processes for identifying priorities and reaching consensus on a common set of shared priorities helps the region and each state/territory to realize economies of scale. As a result of these negotiations, the region and state/territory should reach a consensus on three-to-five priorities each recipient will focus on addressing and improving in its EMPG Program Work Plan.

Federal regulations outlined in 2 C.F.R. Part 200 require federal awarding agencies to measure recipient performance to show achievement of program goals and objectives, share lessons learned, improve program outcomes, and foster adoption of promising practices (*see* 2 C.F.R. § 200.301, Performance Measurement). For FY 2025, there is a continuing emphasis on priorities-based investments. Additionally, recipients must set outcome-oriented performance goals for closing capability gaps related to the three-to-five agreed-upon priorities, aligning funding with high-priority strategic preparedness needs. An outcome-oriented approach will allow recipients to define success, benchmark their projects, and measure their progress in building capability. Recipients will be able to use this to generate a feedback cycle. If projects are not achieving desired outcomes, recipients will have a basis for revisiting plans and assessments and adjusting their projects and other investments.

When developing state/territory priorities, applicants should consider the following national priorities:

- Extreme Weather Resilience; and
- Readiness

a. *Extreme Weather Resilience*

Extreme weather is one of the greatest challenges facing emergency managers today. To meet this challenge, the emergency management field needs to anticipate the increasing demands generated by more extreme and frequent disasters, from wildfires and coastal storms to inland flooding. Additionally, emergency managers must learn to manage and support weather-related emergencies such as drought and extreme heat. The emergency management community must

aim to strengthen capabilities for extreme weather events by better understanding extreme weather risks and identifying mitigation strategies and other preparedness actions necessary to address those risks. This includes expanded training and capacity-building for emergency managers and first responders at the state and local level. Additionally, emergency managers at the federal, state, territorial, tribal, and local levels need to undertake targeted efforts to increase resilience in the most disaster vulnerable communities.

Extreme weather resilience requires a whole-community approach. The whole community is an inclusive approach to emergency preparedness and management through the inclusion of individuals and families, including those with access and functional needs; businesses; faith-based and community organizations; non-profit groups; schools and academia; media outlets; and all levels of government, including state, local, tribal, territorial, and federal partners. Extreme weather events can cause both acute and chronic impacts; communities must be resilient against threats as varied as extreme flooding, drought, hurricanes, and wildfires. Community resilience requires expanding partnerships, especially with community-based organizations that are on the ground before disasters strike and well after. Emergency management partners must support the preparedness needs of disaster vulnerable communities to mitigate the impacts of future disasters.

Many communities are faced with aging infrastructure, which can increase risk from major disasters. To have the greatest impact, FEMA encourages smart investments in system-based, community-wide projects to protect those with the most severe and persistent risk. Communities can better target investments to the most transformational projects when they better understand the unique risks posed by extreme weather events.

The future disaster environment will not resemble that of the past, or even what is experienced today. To build long-term resilience, communities must understand their future risk and have the resources and capacity to reduce that risk. Even within the same geographic area, different communities will face differing levels of risk due to their unique demographic, economic, and physical characteristics. It is important for the emergency management community to develop capacity to access and interpret accurate information about this localized risk, specifically in light of future conditions. This information will help communities better understand their own risks and identify the most appropriate resilience actions.

The more we build our partner's resilience, the more prepared our nation will be, which positively influences the impact and severity of significant events. This approach enables disaster response efforts that are locally led, state managed, and federally supported.

b. *Readiness*

As disasters become more frequent, severe, and complex, the demands placed upon the emergency management community have increased dramatically. To adapt to this trend, FEMA and the emergency management community must expand our approach to readiness, preparedness, continuity, and resiliency by increasing the overall emergency management capabilities at the state and local government level, as well as the private sector, the nonprofit sector, and among individuals. The National Capability Targets provide a shared vision of the

staff, expertise, tools, and resources required to build a prepared nation. Aligning state and local readiness plans to these targets will ensure agencies can continuously support the needs and priorities identified by whole community partners, in addition to continuity of government across all hazards.

Disaster mitigation, preparedness, response, and recovery are not the responsibility of just one agency. Rather, these functions are a shared responsibility requiring coordination of federal agencies, private and social sectors, state, local, tribal, and territorial governments, and other partners. The ability to support communities begins with how emergency management agencies help them prepare before a disaster occurs. This includes preparing for evolving concurrent, complex disasters, including response to potential national security emergencies. Through better coordination of pre-disaster programs, we can all help communities identify, prioritize, and plan to address their specific community-based threats, identify hazards and risks, and mitigate capability gaps. Together, federal assistance can be targeted to address areas of greatest national risk and increase support to the most at-risk communities thereby improving our Nation's readiness.

c. *Additional Guidance on EMPG Program Priorities*

Recognizing that every state and territory has its own unique preparedness and emergency management needs, the national priorities outlined above should inform the identification of state/territory priorities and regional priorities when developing the common set of mutual priorities as agreed upon by the RA and each state/territory. Ideally, the regional and state/territory priorities will complement and support the national priorities. The only mandate stemming from these national priorities is the requirement for all EMPG Program recipients to develop and maintain a Distribution Management Plan as an annex to their existing Emergency Operations Plan (EOP). See the Logistics Planning section of the Preparedness Grants Manual for additional details on this requirement.

The table below provides a high-level breakdown of the national priority areas, the associated core capabilities, as well as examples of project types for each area. Please see Appendix A of this NOFO for more detailed information about allowable costs for projects.

National Priority Area	Associated Core Capabilities[1]	Examples of Allowable Activities
Extreme Weather Resilience	• Community Resilience • Infrastructure Systems • Long-Term Vulnerability Reduction • Planning • Risk and Disaster Resilience Assessment • Threats and Hazards Identification	• Development of/updates to disaster housing plans to incorporate and address weather-related data/projections/risks (e.g., ensure housing is not placed in potentially weather-related impacted areas and that housing solutions are weather-related resilient) • Establishment of weather-related or resiliency positions within emergency management offices to assess weather-related risks, develop mitigation strategies, and support updating of EOPs

National Priority Area	Associated Core Capabilities[1]	Examples of Allowable Activities
		• Development of evacuation plans in accordance with weather-related exacerbated risk (e.g., mass evacuation during catastrophic fast-moving events, like wildfires) • Establishment of risk communication plans to inform all residents (including those with access and functional needs) about weather-related risks (e.g., what the communities can do at a local and individual level to prepare) and potential evacuations • Development of internal plans (including response and recovery) that incorporate weather-related impact on emergency management resources (e.g., personnel, logistics) • Development of weather-related literacy plans to enable communities to understand and prepare for their weather-related risks • Conduct exercises that incorporate weather-related considerations into response and recovery efforts to increase weather-related literacy and prepare communities to respond to and recover from extreme weather disasters • Incorporation of weather-related considerations into risk assessments (e.g., THIRA) and mitigation plans • Creation of or updates to hazard fuel reduction and safety zone mapping to manage vegetation within a jurisdiction to minimize potential wildfire ignitions along the wildland interface, e.g., urban and/or rural • Purchase/install standby generators to supply backup power for critical Emergency Operation Center electronic systems and equipment
Readiness: Catastrophic Disaster Housing	• Housing • Planning • Situational Assessment • Infrastructure Systems	• Development of state-led disaster housing task force plan • Establishment of State Disaster Recovery Coordinator • Completion of State Housing Strategy template • Assessment of accessible housing needs, including the unique risks and needs of disaster vulnerable communities
Readiness: Disaster Financial Management	• Planning • Risk Management for Protection Programs and Activities • Risk and Disaster Resilience Assessment • Community Resilience • Economic Recovery	• Development of a plan for the sequencing of federal, nonprofit, and state disaster programs • Development of a Disaster Financial Management Plan
Readiness: Evacuation Plan/Annex	• Planning • Risk Management for Protection Programs and Activities • Risk and Disaster Resilience Assessment • Threats and Hazards Identification	• Assessment of evacuation capabilities and needs, including ensuring accessibility and effective communication for persons with disabilities and others with access and functional needs, and integration of these requirements into evacuation plans • Development of/updates to evacuation plans • Improvement of evacuation capabilities, such as transportation systems to support contraflow lanes

National Priority Area	Associated Core Capabilities[1]	Examples of Allowable Activities
	• Operational Coordination • Long-Term Vulnerability Reduction • Critical Transportation • Infrastructure Systems	• Conduct evacuation training and exercises • Development of public awareness campaigns support evacuation plans • (See https://www.fema.gov/emergency-managers/national-preparedness/plan/evacuation-shelter-in-place for additional guidance)

Readiness: Logistics – Distribution Management Planning	• Logistics and Supply Chain Management
	• Supply Chain Integrity and Security
		• Development of/updates to a Distribution Management Plan that addresses:
		  ○ State/local staging site plans
		  ○ State/local commodity point of distribution site plans
		  ○ Staging and Point of Distribution staffing strategies/plans
		  ○ Transportation strategies/plans
		  ○ Resource sourcing and accountability strategies/plans
		  ○ Provision of critical emergency supplies for high risk communities

Readiness: Continuity of Government	• Planning • Operational Coordination • All other core capabilities	• Continuity planning products for the continuance of essential functions and associated leadership • Risk-based needs assessments based on the THIRA/SPR to inform risk mitigation efforts for ensuring continuity of essential functions and services • Policy and legislation such as through executive orders and statutes setting forth resilience requirements for continuity of essential functions and services • Public and private sector outreach and messaging regarding continuity resilience strategies
Readiness: Resilient Communications	• Operational Communications • Planning • Public Information and Warning • Operational Coordination • Intelligence and Information Sharing • Cybersecurity • Physical Protective Measures • Long-Term Vulnerability Reduction • Risk and Disaster Resilience Assessment • Threats and Hazards Identification • Infrastructure Systems	• Development of Statewide Communication Interoperability Plans, Tactical Interoperable Communications Plans, and Standard Operating Procedures that address continuity and recovery of emergency communication systems • Conduct risk and vulnerability assessments associated with emergency communications systems, to include cybersecurity risks • Adoption of cybersecurity performance goals (Cross-Sector Cybersecurity Performance Goals | CISA) • Conduct National Incident Management System (NIMS) compliant training, exercise, and evaluation activities to test emergency communications capabilities, to include testing of resiliency and continuity of communications • Physical hardening of infrastructure systems and support emergency communications

C. Program Rationale

The stated goals, objectives, and priorities of the EMPG Program support Section 662 of the *Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA)*, Pub. L. No. 109-295 (codified as amended at 6 U.S.C. § 762); the *Robert T. Stafford Disaster Relief and Emergency Assistance Act*, Pub. L. No. 93-288 (1974) (codified as amended at 42 U.S.C. §§ 5121-5207); the *Earthquake Hazards Reduction Act of 1977*, Pub. L. No. 95-124 (codified as amended at 42 U.S.C. §§ 7701-7709); and the *National Flood Insurance Act of 1968*, Pub. L. No. 90448 (codified as amended at 42 U.S.C. §§ 4001-4131).

D. Federal Assistance Type
Grant

E. Performance Measures and Targets
Performance metrics for this program are as follows:

- Performance Measure 1: Percentage of capability-building projects that align to capability gaps identified by states, territories, and urban areas in their THIRA/SPR submissions (50%).
- Performance Measure 2: Percentage of high priority capabilities, as identified in THIRA/SPR submissions, that are built or sustained prior to award closeout (50%).
- Performance Measure 3: Percentage of capability-building projects that address a high priority core capability as identified by THIRA/SPR submissions (50%).
- Performance Measure 4: Percentage of projects that build or sustain capabilities relating to the EMPG Program national priority areas and RA agreed-upon priorities (80%).
- Performance Measure 5: Percentage of Planning, Training, and/or Exercise related projects that align with closing address capability gaps as identified and documented in the state/territory's most recent THIRA/SPR submission, Mitigation Plan, AARs, Audit/Monitoring Findings, Continuity Assessments, or Other Deliberate Plans (50%).

FEMA will analyze the above metrics through the review of state/territory SPR submissions, EMPG Program Work Plans, and required programmatic reports.

F. Program-Specific Unallowable Costs
Specific unallowable costs for **EMPG** include:

1. Grant funds may not be used for the purchase of firearms, ammunition, grenade launchers, bayonets, or weaponized aircraft, vessels, or vehicles of any kind with weapons installed;
2. Expenditures for weapons systems and ammunition;
3. Costs associated with hiring, equipping, training, etc. sworn public safety officers whose primary job responsibilities include fulfilling traditional public safety duties such as law enforcement, firefighting, emergency medical services, or other first responder duties;
4. Costs that supplant traditional public safety positions and responsibilities;
5. Activities and projects unrelated to the completion and implementation of the EMPG Program; or
6. Clothing used for everyday wear by emergency management employees or other personnel.

Recipients should consult with their Regional EMPG Program Manager prior to making any investment that does not clearly meet the allowable expense criteria established in this NOFO and the Preparedness Grants Manual.

G. General Funding Requirements

Costs charged to federal awards (including federal and non-federal cost share funds) must comply with applicable statutes, rules and regulations, policies, this NOFO, the Preparedness Grants Manual, and 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).

Recipients may not use federal funds or any cost share funds for the following activities:

1. Matching or cost sharing requirements for other federal grants and cooperative agreements (see 2 C.F.R. § 200.306).
2. Lobbying or other prohibited activities under 18 U.S.C. § 1913 or 2 C.F.R. § 200.450.
3. Prosecuting claims against the federal government or any other government entity (see 2 C.F.R. § 200.435).

See the Preparedness Grants Manual for more information on funding restrictions and allowable costs.

H. Indirect Costs (Facilities and Administrative Costs)

Indirect costs are allowed for recipients and subrecipients.

Indirect costs (IDC) are costs incurred for a common or joint purpose benefitting more than one cost objective and not readily assignable to specific cost objectives without disproportionate effort. Applicants with a current negotiated IDC rate agreement who desire to charge indirect costs to a federal award must provide a copy of their IDC rate agreement with their applications. Not all applicants are required to have a current negotiated IDC rate agreement. Applicants that are not required to have a negotiated IDC rate agreement, but are required to develop an IDC rate proposal, must provide a copy of their proposal with their applications. Applicants without a current negotiated IDC rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to FEMA for further instructions. Applicants who wish to use a cost allocation plan in lieu of an IDC rate proposal must reach out to FEMA for further instructions. As it relates to the IDC for subrecipients, a recipient must follow the requirements of 2 C.F.R. §§ 200.332 and 200.414 in approving the IDC rate for subawards. See the Preparedness Grants Manual for information on establishing indirect cost rates.

a. ***Unrecovered Indirect Costs***

In accordance with 2 C.F.R. § 200.306(c) "[u]nrecovered indirect costs, including indirect costs on cost sharing or matching may be included as part of cost sharing or matching only with the prior approval of the Federal awarding agency. Unrecovered indirect cost means the difference between the amount charged to the Federal award and the amount which could have been charged to the Federal award under the non-Federal entity's approved negotiated indirect cost rate." Therefore, unrecovered indirect costs may be applied to meet cost share requirements of

the EMPG Program grant with the approval of the Regional Grants Division. To meet the cost sharing requirements, the recipient's indirect costs contributions must be verifiable, reasonable, allocable, necessary, and otherwise allowable under the grant program, and in compliance with all applicable Federal requirements and regulations.

I. Management and Administration (M&A) Costs

Per FEMA policy, M&A costs are allowed for both states and territories and local-level Emergency Management Agencies (EMAs). A state or territory EMA may use up to 5% of the EMPG Program award for M&A purposes. In addition, local EMAs may retain and use up to 5% of the amount they receive from the state for local M&A purposes. If the SAA is not the state or territory-level EMA, the SAA is not eligible to retain funds for M&A costs.

M&A activities are those defined as directly relating to the management and administration of EMPG Program funds, such as financial management, reporting, and program and financial monitoring. Some examples of M&A costs include grants management training for M&A staff, equipment and supplies for M&A staff to administer the EMPG Program grant, travel costs for M&A staff to attend conferences or training related to the EMPG Program, travel costs for the M&A staff to conduct subrecipient monitoring, contractual services to support the M&A staff with M&A activities, and auditing costs related to the grant award to the extent required or permitted by statute or 2 C.F.R. Part 200. Characteristics of M&A expenses can include the following: 1) direct costs that are incurred to administer a particular Federal award; 2) identifiable and unique to each Federal award; 3) charged based on the activity performed for that particular Federal award; and 4) not duplicative of the same costs that are included in the approved Indirect Cost Rate Agreement, if applicable.

M&A costs are not overhead costs but are necessary direct costs incurred in direct support of the federal award or as a consequence of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct support of the program. As such, M&A costs can be itemized in financial reports. They are directly related to managing and administering the award, such as financial management, reporting, and program and financial monitoring. It should be noted that salaries of state and local emergency managers are not typically categorized as M&A costs unless the state or local EMA chooses to assign personnel to specific M&A activities.

J. Pre-Award Costs

Pre-award costs are not allowed.

K. Beneficiary Eligibility

There are no program requirements. See Section 2 for additional eligibility information. This NOFO and any subsequent federal awards create no rights or causes of action for any beneficiary.

L. Participant Eligibility

There are no program requirements. This NOFO and any subsequent federal awards create no rights or causes of action for any participant.

M. Authorizing Authority
Section 662 of the *Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA)*, Pub. L. No. 109-295 (codified as amended at 6 U.S.C. § 762); the *Robert T. Stafford Disaster Relief and Emergency Assistance Act*, Pub. L. No. 93-288 (1974) (codified as amended at 42 U.S.C. §§ 5121-5207); the *Earthquake Hazards Reduction Act of 1977*, Pub. L. No. 95-124 (codified as amended at 42 U.S.C. §§ 7701-7709); and the *National Flood Insurance Act of 1968*, Pub. L. No. 90448 (codified as amended at 42 U.S.C. §§ 4001-4131).

N. Appropriation Authority
Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4, § 1101.

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

P. Prohibition on Covered Equipment or Services
See the Preparedness Grants Manual for information on prohibitions on expending funds on covered telecommunications and surveillance equipment and services.

4. Application Contents and Format

A. Pre-Application, Letter of Intent, and Whitepapers
Not applicable.

B. Application Content and Format
Not applicable.

C. Application Components
The following forms or information are required to be submitted via FEMA GO. The Standard Forms (SF) are also available at Forms | Grants.gov:

- 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

D. Program-Specific Required Documents and Information
The following program-specific forms or information are required to be submitted in FEMA GO:

- EMPG Program Work Plan

a. ***EMPG Program Work Plan***
All EMPG Program applicants must develop and submit a Work Plan. All EMPG Program applicants are strongly encouraged to use the FY 2025 EMPG Program Work Plan Template provided on Grants.gov to submit the required Work Plan, which outlines the state or territory's emergency management sustainment and enhancement efforts, including new and ongoing activities and projects, proposed for the EMPG Program period of performance.

All EMPG Program Work Plans will require final approval by the RA. The applicant must work with the RA or designated Regional EMPG Program Manager to ensure that the common set of agreed-upon priorities, as explained in the Priorities section above, are properly addressed in the EMPG Program Work Plan.

Regions can request additional budget detail information, if necessary, to ensure the proposed projects and associated costs are in alignment with the agreed-upon priorities, address the identified need/capability gaps, and are in compliance with the cost principles.

See the EMPG Program Work Plan appendix in Appendix B below for additional information on Work Plan requirements.

E. Post-Application Requirements for Successful Applicants
Not applicable.

5. Submission Requirements and Deadlines

A. Address to Request Application Package
Applications are processed through the FEMA GO system. To access the system, go to https://go.fema.gov/.

Steps required to apply for an award under this program and submit an application:

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

a. Apply for, update, or verify their Unique Entity Identifier (UEI) number and Employer Identification Number (EIN) from the Internal Revenue Service (IRS);
b. In the application, provide an UEI number;
c. Have an account with login.gov;
d. Register for, update, or verify their System for Award Management (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 Organizational 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/media-library/assets/documents/181607;
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.

Per 2 C.F.R. § 25.110(a)(2)(iv), if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to receiving a federal award, the applicant must notify FEMA as soon as possible. Contact fema-grants-news@fema.dhs.gov and provide the details of the exigent circumstances.

How to Register to Apply:

General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Below are instructions for registering to apply for FEMA funds. Read the instructions carefully and prepare the requested information before beginning the registration process. Gathering the required information before starting the 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 a UEI number, EIN, and an active SAM registration.

Obtain a 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.

Obtain Employer Identification Number:

In addition to having a UEI number, all entities applying for funding must provide an 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.

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 at: https://secure.login.gov/sign_up/enter_email?request_id=34f19fa8-14a2-438c-8323-a62b99571fd.

Applicants only have to create a login.gov account once. For existing SAM users, use the same email address for both login.gov and 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.

Register with SAM:

In addition to having a UEI number, all organizations must register with SAM. Failure to register with SAM will prevent your organization from applying through FEMA GO. SAM registration must be renewed annually and must remain active throughout the entire grant life cycle.

For more detailed instructions for registering with SAM, refer to: Register with SAM

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 past three years, if applicable.

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 FEMA GO Startup Guide.

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

- Google Chrome;
- Mozilla Firefox;
- Apple Safari; and
- Microsoft Edge.

Applicants using tablet type devices or other browsers may encounter issues with using FEMA GO.

Submitting the Final Application:

Applicants will be prompted to submit the standard application information, and any program-specific information required. Standard Forms (SF) may be accessed in the Forms tab under the: SF-424 Family | Grants.gov.

Applicants should review these forms before applying to ensure they are providing all required information.

After submitting the final application, FEMA GO will provide either an error message, or an email to the submitting AOR confirming the transmission was successfully received.

B. Application Deadline
06/24/25 05:00:00 PM Eastern Time

C. Pre-Application Requirements Deadline

Not applicable.

D. Post-Application Requirements Deadline
Not applicable.

E. Effects of Missing the Deadline
All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of submission and generates an electronic date/time stamp when FEMA GO successfully receives an application. The submitting AOR will receive via email the official date/time stamp and a FEMA GO tracking number to serve as proof of timely submission prior to the application deadline.

Applicants experiencing system-related issues have until 3:00 PM ET on the date applications are due to notify FEMA. No new system-related issues will be addressed after this deadline. Applications not received by the application submission deadline will not be accepted.

6. Intergovernmental Review

A. Requirement Description and State Single Point of Contact
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.

7. Application Review Information

A. Threshold Criteria
Only State or territorial governments (the State Administrative Agency [SAA] or the state's Emergency Management Agency [EMA]) are authorized to submit EMPG applications to FEMA.

a. ***Unaffiliated or Unauthorized Representatives***
Applications submitted by individuals who are not 1) a current employee, personnel, official, staff, or leadership of the non-federal entity; and 2) duly authorized to apply for an award on behalf of the non-federal entity at the time of application (e.g. consultants or contractors acting on behalf of an organization) will be deemed ineligible.

b. ***Organizations Not Registered in SAM.gov***
Applicants that fail to register and maintain an active profile in SAM.gov, or those without a UEI, are not eligible to receive funding.

B. Application Criteria
a. ***Programmatic Criteria***
Application evaluation for the EMPG Program focuses on the EMPG Program Work Plan. Please see sections 3.B., 4.D., and the EMPG Program Work Plan in Appendix B for more information on Work Plan requirements and process.

b. ***Review and Selection Process***

Recipients must comply with all administrative requirements described herein including the submission of the EMPG Program Work Plan and other application materials as required. The following process will be used to make awards for the EMPG Program:

1. Initial Review

The Regional EMPG Program Managers conduct all pre-award reviews for EMPG Program grant awards. All EMPG Program Work Plans require final approval by the RA. Prior to submission of the EMPG Program Work Plan, the applicant must work with the RA or designated Regional EMPG Program Manager to ensure that regional or state priorities are properly addressed in the EMPG Program Work Plan.

Funds for recipients will not be released until such Work Plan is received, reviewed, and approved by DHS/FEMA. Recipients will be notified by the RA or their Regional EMPG Program Manager should any component of the EMPG Program application require additional information.

2. Overall Review

FEMA Regions are responsible for reviewing submitted applications. Each Regional EMPG Program Manager reviews the FY 2025 EMPG Program Work Plans for their states or territories to assess the proposed EMPG Program investments against the agreed upon priorities. This will include a financial review using the following criteria:

- Allowability, allocability, and financial reasonableness of the proposed budget and investment information; and
- Whether a recipient meets the financial and legal requirements listed in 2 C.F.R. Part 200.

C. Financial Integrity Criteria

Before making an award, FEMA is required to review OMB-designated databases for applicants' eligibility and financial integrity information. This is required by the Payment Integrity Information Act of 2019 (Pub. L. No. 116-117, § 2 (2020)), 41 U.S.C. § 2313, and the "Do Not Pay Initiative" (31 U.S.C. 3354). For more details, please see 2 C.F.R. § 200.206.

Thus, the Financial Integrity Criteria may include the following risk-based considerations of the applicant:

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

D. Supplemental Financial Integrity Criteria and Review

Before making an award expected to exceed the simplified acquisition threshold (currently a total federal share of $250,000) over the period of performance:

1. FEMA is required by 41 U.S.C. § 2313 to review or consider certain information found in SAM.gov. For details, please see 2 C.F.R. § 200.206(a)(2).
2. An applicant may review and comment on any information in the responsibility/qualification records available in SAM.gov.
3. Before making decisions in the risk review required by 2 C.F.R. § 200.206, FEMA will consider any comments by the applicant.

E. Reviewers and Reviewer Selection

Reviewers for the Emergency Management Performance Grant (EMPG) are typically selected from within FEMA, specifically the Regional EMPG Program Managers, who are subject matter experts in grant management and emergency management. They conduct reviews based on regional or state priorities and ensure compliance with program requirements. To avoid conflicts of interest, FEMA adheres to federal regulations, including 2 C.F.R. Part 200, which mandates financial and ethical standards, and reviewers must disclose potential conflicts before participating.

F. Merit Review Process

Not applicable.

G. Final Selection

FEMA uses a population-based allocation formula as dictated by statute. See Appendix D for details.

8. Award Notices

A. Notice of Award

The Authorized Organization Representative should carefully read the federal award package before accepting the federal award. The federal award package includes instructions on administering the federal award as well as terms and conditions for the award.

By submitting an application, applicants agree to comply with the prerequisites stated in this NOFO, the Preparedness Grants Manual, and the material terms and conditions of the federal award, should they receive an award.

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 award package notification email is sent via the grant application system to the submitting AOR.

Recipients must accept their awards no later than 60 days from the award date. Recipients shall notify FEMA of their intent to accept the award and proceed with work via the FEMA GO system.

Funds will remain on hold until the recipient accepts the award via FEMA GO 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.

B. Pass-Through Requirements
Each state or territory shall obligate 100% of its total EMPG Program allocation to the designated state-level EMA. If the SAA is also the EMA, this requirement is automatically met. If the SAA is a separate agency or has a separate budget process, then all EMPG Program funds must be obligated to the EMA within 15 days of the grant award date. In instances where the state EMA is making subawards to local jurisdictions, DHS/FEMA expects the state EMA to make these subawards as expeditiously as possible.

C. Note Regarding Pre-Award Costs
Even if pre-award costs are allowed, beginning performance is at the applicant and/or sub-applicant's own risk.

D. Obligation of Funds
The funds are obligated only when and once the agency's signatory authority approves and signs the award package.

E. Notification to Unsuccessful Applicants
Unsuccessful Applicants will be notified through the FEMA GO system after all successful awards have been made, but not sooner than October 1st of this award cycle. Applicants may contact the program office for additional feedback.

9. Post-Award Requirements and Administration

A. Administrative and National Policy Requirements

Presidential Executive Orders

Recipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference.

In accordance with Executive Order 14305, Restoring American Airspace Sovereignty (June 6, 2025), and to the extent allowed by law, eligible state, local, tribal, and territorial grant recipients under this NOFO are permitted to purchase unmanned aircraft systems, otherwise known as drones, or equipment or services for the detection, tracking, or identification of drones and drone signals, consistent with the legal authorities of state, local, tribal, and territorial agencies. Recipients must comply with all applicable federal, state, and local laws and regulations, and adhere to any statutory requirements on the use of federal funds for such unmanned aircraft systems, equipment, or services.

Subrecipient Monitoring and Management

Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.

B. DHS Standard Terms and Conditions
A recipient under this funding opportunity must comply with the DHS Standard Terms and Conditions in effect as of the date of the federal award. The DHS Standard Terms and Conditions are available online: DHS Standard Terms and Conditions | Homeland Security. For continuation awards, the terms and conditions for the initial federal award will apply unless otherwise specified in the terms and conditions of the continuation award. The specific version of the DHS Standard Terms and Conditions applicable to the federal award will be in the federal award package.

C. Financial Reporting Requirements
See the Preparedness Grants Manual for information on financial reporting requirements.

D. Programmatic Performance Reporting Requirements
See the Preparedness Grants Manual for information on performance reporting requirements.

E. Closeout Reporting Requirements
See the Preparedness Grants Manual for information on closeout reporting requirements and administrative closeout.

Anytime there is a change in personnel for any of the awardees and/or subrecipients, their information needs to be submitted for approval (all the previous personal information identified).

F. Disclosing Information per 2 C.F.R. § 180.335
See the Preparedness Grants Manual for information on disclosing information per 2 C.F.R. § 180.335.

G. Reporting of Matters Related to Recipient Integrity and Performance
See the Preparedness Grants Manual for information on reporting of matters related to recipient integrity and performance.

H. Single Audit Report
See the Preparedness Grants Manual for information on single audit reports.

I. Monitoring and Oversight
Per 2 C.F.R. § 200.337, DHS and its authorized representatives have the right of access to any records of the recipient or subrecipient pertinent to a Federal award to perform audits, site visits, and any other official use. 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 or the Federal award in general.

Pursuant to this right and per 2 C.F.R. § 200.329, DHS may conduct desk reviews and make site visits to review and evaluate project accomplishments and management control systems as well

as provide any required technical assistance. Recipients and subrecipients must respond in a timely and accurate manner to DHS requests for information relating to a federal award. See the Preparedness Grants Manual for more information on monitoring and oversight.

J. Program Evaluation
Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), urges federal agencies to use program evaluation as a critical tool to learn, improve 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). OMB A-11, Section 290 (Evaluation and Evidence-Building Activities) further outlines the standards and practices for evaluation activities. Federal agencies are required to specify any requirements for recipient participation in program evaluation activities (2 C.F.R. § 200.301). Program evaluation activities incorporated from the outset in the NOFO and program design and implementation allow recipients and agencies to meaningfully document and measure progress and achievement towards program goals and objectives, and identify program outcomes and lessons learned, as part of demonstrating recipient performance (2 C.F.R. § 200.301).

As such, recipients and subrecipients are required to participate in a Program Office (PO) or a DHS Component-led evaluation, if selected. This may be carried out by a third-party on behalf of the PO or the DHS Component. Such an evaluation may involve information collections including but not limited to, records of the recipients; surveys, interviews, or discussions with individuals who benefit from the federal award, program operating personnel, and award recipients; and site visits or other observation of recipient activities, as specified in a DHS Component or PO-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) in accordance with 2 C.F.R.§ 200.413.

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.

K. Additional Performance Reporting Requirements
Not applicable.

L. Termination of the Federal Award

1. Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 sets forth a term and condition entitled "Termination of a Federal Award." The termination provision condition listed below applies to the grant award and the term and condition in Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 does not.

2. Termination of the Federal Award by FEMA

FEMA may terminate the federal award in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

a. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.

b. With the consent of the recipient, in which case FEMA and the recipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.

c. If the federal award no longer effectuates the program goals or agency priorities. Under this provision, FEMA may terminate the award for these purposes if any of the following reasons apply:

i. If DHS/FEMA, in its sole discretion, determines that a specific award objective is ineffective at achieving program goals as described in this NOFO;
ii. If DHS/FEMA, in its sole discretion, determines that an objective of the award as described in this NOFO will be ineffective at achieving program goals or agency priorities;
iii. If DHS/FEMA, in its sole discretion, determines that the design of the grant program is flawed relative to program goals or agency priorities;
iv. If DHS/FEMA, in its sole discretion, determines that the grant program is not aligned to either the DHS Strategic Plan, the FEMA Strategic Plan, or successor policies or documents;
v. If DHS/FEMA, in its sole discretion, changes or re-evaluates the goals or priorities of the grant program and determines that the award will be ineffective at achieving the updated program goals or agency priorities; or
vi. For other reasons based on program goals or agency priorities described in the termination notice provided to the recipient pursuant to 2 C.F.R. § 200.341.
vii. If the awardee falls out of compliance with the Agency's statutory or regulatory authority, award terms and conditions, or other applicable laws.

3. Termination of a Subaward by the Pass-Through Entity

The pass-through entity may terminate a subaward in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

a. If the subrecipient fails to comply with the terms and conditions of the federal award.
b. With the consent of the subrecipient, in which case the pass-through entity and the subrecipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
c. If the pass-through entity's award has been terminated, the pass-through recipient will terminate its subawards.

4. Termination by the Recipient or Subrecipient

The recipient or subrecipient may terminate the federal award in whole or in part for the following reason identified in 2 C.F.R. § 200.340: Upon sending FEMA or the pass-through entity a written notification of the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if FEMA or the pass-through entity determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, FEMA or the pass-through entity may terminate the federal award in its entirety.

5. Impacts of Termination

   a. When FEMA terminates the federal award prior to the end of the period of performance due to the recipient's material failure to comply with the terms and conditions of the federal award, FEMA will report the termination in SAM.gov in the manner described at 2 C.F.R. § 200.340(c).
   b. When the federal award is terminated in part or its entirety, FEMA or the pass-through entity and the recipient or subrecipient remain responsible for compliance with the requirements in 2 C.F.R. §§ 200.344 and 200.345.

6. Notification Requirements

   FEMA or the pass-through entity must provide written notice of the termination in a manner consistent with 2 C.F.R. § 200.341. The federal award will be terminated on the date of the notification unless stated otherwise in the notification.

7. Opportunities to Object and Appeals

   Where applicable, when FEMA terminates the Federal award, the written notification of termination will provide the opportunity, and describe the process, to object and provide information challenging the action, pursuant to 2 C.F.R. § 200.342.

8. Effects of Suspension and Termination

   The allowability of costs to the recipient or subrecipient resulting from financial obligations incurred by the recipient or subrecipient during a suspension or after the termination of a federal award are subject to 2 C.F.R. § 200.343.

M. Best Practices

While not a requirement in the DHS Standard Terms and Conditions, as a best practice, entities receiving funds through this program should ensure that cybersecurity is integrated into the design, development, operation, and maintenance of investments that impact information technology (IT) and/ or operational technology (OT) systems. Additionally, "The recipient and subrecipient must … take reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information." 2 C.F.R. § 200.303(e).

N. Payment Information
Recipients will submit payment requests in FEMA GO for FY25 awards under this program.

Instructions to Grant Recipients Pursuing Payments

FEMA reviews all grant payments and obligations to ensure allowability in accordance with 2 C.F.R. § 200.305. These measures ensure funds are disbursed appropriately while continuing to support and prioritize communities who rely on FEMA for assistance. Once a recipient submits a payment request, FEMA will review the request. If FEMA approves a payment, recipients will be notified by FEMA GO and the payment will be delivery pursuant to the recipients SAM.gov financial information. If FEMA disapproves a payment, FEMA will inform the recipient.

Processing and Payment Timeline

FEMA must comply with regulations governing payments to grant recipients. See 2 C.F.R. § 200.305. For grant recipients other than States, 2 C.F.R. § 200.305(b)(3) stipulates that FEMA is to make payments on a reimbursement basis within 30 days after receipt of the payment request, unless FEMA reasonably believes the request to be improper. For state recipients, 2 C.F.R. § 200.305(a) instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements ("Treasury-State agreement") and default procedures codified at 31 C.F.R. part 205 and Treasury Financial Manual (TFM) 4A-2000, "Overall Disbursing Rules for All Federal Agencies." *See* 2 C.F.R. § 200.305(a).

Treasury-State agreements generally apply to "major federal assistance programs" that are governed by 31 C.F.R. part 205, subpart A and are identified in the Treasury-State agreement. 31 C.F.R. §§ 205.2, 205.6. Where a federal assistance (grant) program is not governed by subpart A, payment and funds transfers from FEMA to the state are subject to 31 C.F.R. part 205, subpart B. Subpart B requires FEMA to "limit a funds transfer to a state to the minimum amounts needed by the state and must time the disbursement to be in accord with the actual, immediate cash requirements of the state in carrying out a federal assistance program or project. The timing and amount of funds transfers must be as close as is administratively feasible to a state's actual cash outlay for direct program costs and the proportionate share of any allowable indirect costs." 31 C.F.R. § 205.33(a). Nearly all FEMA grants are not "major federal assistance programs." As a result, payments to states for those grants are subject to the "default" rules of 31 C.F.R. part 205, subpart B.

If additional information is needed, a request for information will be issued by FEMA to the recipient; recipients are strongly encouraged to respond to any additional FEMA request for information inquiries within three business days. If an adequate response is not received, the request may be denied, and the entity may need to submit a new reimbursement request; this will re-start the 30-day timeline.

Submission Process

All non-disaster grant program reimbursement requests must be reviewed and approved by FEMA prior to drawdowns.

For all non-disaster reimbursement requests (regardless of system), please ensure submittal of the following information:

1. Grant ID / Award Number
2. Total amount requested for drawdown
3. Purpose of drawdown and timeframe covered (must be within the award performance period)
4. Subrecipient Funding Details (if applicable).
   - Is funding provided directly or indirectly to a subrecipient?
     - If **no,** include statement "This grant funding is not being directed to a subrecipient."
   - If **yes**, provide the following details:
     - The name, mission statement, and purpose of each subrecipient receiving funds, along with the amount allocated and the specific role or activity being reimbursed.
     - Whether the subrecipient's work or mission involves supporting aliens, regardless of whether FEMA funds support such activities.
     - Whether the payment request includes an activity involving support to aliens.
     - Whether the subrecipient has any diversity, equity, and inclusion practices.
5. Supporting documentation to demonstrate that expenses are allowable, allocable, reasonable, and necessary under 2 C.F.R. Part 200 and in compliance with the grant's NOFO, award terms, and applicable federal regulations.

O. Immigration Conditions

1. Materiality of Pending Immigration Condition

An immigration term and condition may be material to the Department of Homeland Security's decision to make this grant award, and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or any local government subrecipient fails to comply with this term and condition. A final Agency decision is pending on this term and condition.

10. Other Information

A. Period of Performance Extension

Extensions to the period of performance are allowed.

Recipients should consult with their FEMA point of contact for requirements related to a performance period extension. See the Preparedness Grants Manual for more information on period of performance extensions.

B. Other Information

a. *Environmental Planning and Historic Preservation (EHP) Compliance*

See the Preparedness Grants Manual for information on EHP compliance.

b. *Procurement Integrity*

See the Preparedness Grants Manual for information on procurement integrity.

c. *Financial Assistance Programs for Infrastructure*

1. Build America, Buy America Act

Recipients and subrecipients must comply with FEMA's implementation requirements of 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, Buy America Preferences for Infrastructure Projects 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.

To see whether a particular FEMA federal financial assistance program is considered an infrastructure program and thus required to implement FEMA's Build America, Buy America requirements, please see Programs and Definitions: Build America, Buy America Act | FEMA.gov.

2. 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, or
- 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, or

- 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%.

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.

3. Definitions
For definitions of the key terms of the Build America, Buy America Act, please visit Programs and Definitions: Build America, Buy America Act | FEMA.gov.

d. ***Mandatory Disclosures***
The non-Federal entity 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).

e. ***Adaptive Support***

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.

f. ***Record Retention***
See the Preparedness Grants Manual for information on record retention.

g. ***Actions to Address Noncompliance***
See the Preparedness Grants Manual for information on actions to address noncompliance.

h. ***Audits***
See the Preparedness Grants Manual for information on audits.

11. Appendix A: Allowable Costs

A. Planning

Planning costs are allowed under this program only as described in this NOFO and the Preparedness Grants Manual.

Planning spans all five mission areas of the Goal and provides a methodical way to engage the whole community in the development of a strategic, operational, and/or community-based approach to preparedness. EMPG Program funds may be used to develop or enhance emergency management planning activities. Some examples are included below.

a. ***Emergency Operations Plan***

- Maintaining a current EOP that is aligned with guidelines set out in Comprehensive Preparedness Guide (CPG) 101: Developing and Maintaining Emergency Operations Plans;
- Modifying existing incident management and emergency operations plans; and
- Developing/enhancing large-scale and catastrophic event incident plans.

b. ***Public Alert and Warning System Plans***

- Development of plans for deploying, training, exercising, and testing of public alert and warning systems.

c. ***Communications Plans***

- Developing and updating Statewide Communication Interoperability Plans; and
- Developing and updating Tactical Interoperability Communications Plans.

d. ***Administrative Plans***

- Developing/enhancing financial and administrative procedures for use before, during, and after disaster events in support of a comprehensive emergency management program.

e. ***Whole Community Engagement/Planning***

- Developing or enhancing mutual aid agreements/compacts, including required membership in EMAC;
- Developing/enhancing emergency operations plans to integrate citizen/volunteer and other Non-Governmental Organization (NGO) resources and participation; and
- Integrating program design and delivery practices that ensure representation and services for disaster vulnerable, at-risk populations that may be more impacted by disasters, including children, seniors, individuals with disabilities or other access and functional needs, non-English speaking individuals, individuals with lower economic capacity, and other at-risk populations.

f. ***Resource Management Planning***

- Developing/enhancing logistics and resource management plans; and
- Developing/enhancing volunteer and/or donations management plans.

g. ***Shelter and Evacuation Planning***

- Developing/enhancing sheltering and evacuation plans, including plans for alerts/warning, crisis communications, pre-positioning of equipment for areas potentially impacted by mass evacuations, and re-entry.

h. ***Recovery Planning***

- Disaster housing planning, such as creating/supporting a state disaster housing task force and developing/enhancing state disaster housing plans;
- Pre-event response, recovery, and mitigation plans in coordination with state, local, and tribal governments;
- Developing/enhancing other response and recovery plans; and
- Developing recovery plans and preparedness programs consistent with the principles and guidance in the National Disaster Recovery Framework (NDRF) that will provide the foundation for recovery programs and whole community partnerships. Preparedness and pre-disaster planning were given special attention within the NDRF with specific guidance: *Planning for a Successful Disaster Recovery* (pages 63-70). For more information on the NDRF see National Disaster Recovery Framework.

i. ***Continuity Planning***

Continuity planning and operations are an inherent element of each core capability. Continuity operations increase resilience and the probability that organizations can perform essential functions. FEMA develops and promulgates Federal Continuity Directives (FCDs) to establish continuity program and planning requirements for executive departments and agencies and Continuity Guidance Circulars (CGCs) for SLTT governments, non-governmental organizations, and private sector critical infrastructure owners and operators. This direction and guidance assist in developing capabilities for continuing the essential functions of federal, state, local, tribal, territorial governmental entities as well as the public/private critical infrastructure owners, operators, and regulators enabling them.

Presidential Policy 40, FCD 1, FCD 2, and the CGC outline the overarching continuity requirements and guidance for organizations and provide guidance, methodology, and checklists. For additional information on continuity programs, guidance, directives, and available technical assistance, refer to the Continuity Resource Toolkit.

Allowable continuity planning activities include the development of the following:

1. Continuity of Operations and Continuity of Government planning products for the continuance of essential functions and associated leadership;
2. Continuity Assessment Tool-Based evaluations of continuity programs capability;
3. Risk-based needs assessments based on the THIRA to inform risk mitigation efforts to ensure the continuity of essential functions and associated leadership; and
4. Public and private sector outreach and messaging regarding continuity resilience benefits and strategies.

B. Organization

Organization costs are allowed under this program only as described in this NOFO and the Preparedness Grants Manual.

Per the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288 (1974) (codified as amended at 42 U.S.C. §§ 5121-5207), EMPG Program funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management, including hazard mitigation staffing of the State Hazard Mitigation Officer position; staffing CERT and Citizen Corps positions at the state and local levels to promote whole community engagement in all phases of emergency management; performing closeout activities on FEMA disaster assistance grants; staffing permanent technical advisors on children's needs at the state, local, tribal, and territorial levels; staffing Continuity Coordinators and Managers to lead and coordinate development and integration of continuity readiness across all governmental levels and the private sector; and supporting fusion center analysts who are directly involved in all-hazards preparedness activities as defined by the Stafford Act. Proposed staffing activities should be linked to accomplishing the activities outlined in the EMPG Program Work Plan. Recipients are encouraged to fund at least one dedicated Planner, Training Officer, and Exercise Officer. Personnel costs, including salary, overtime, compensatory time off, and associated fringe benefits, are allowable EMPG Program costs and must comply with 2 C.F.R. Part 200, Subpart E – Cost Principles.

a. ***Federal (and Mutual Aid) Emergency Response Official (F/ERO) Credentialing and Validation***

The following costs related to F/ERO credentialing and validation are allowable under the EMPG Program:

- Working group meetings and conferences relating to emergency responder credentialing and validation;
- Compiling data to enter into an emergency responder repository;
- Coordinating with other state, local, territorial, and tribal partners to ensure interoperability among existing and planned credentialing and validation systems and equipment; and
- Planning to incorporate emergency responder identity and credential validation into training and exercises.

b. ***Organizational Clothing Costs for Emergency Management Personnel***

There may be a need for emergency management personnel to wear clothing that clearly identifies their agency, organizational function, and responsibilities when carrying out their official emergency-related duties. EMPG funding may be used to purchase organizational clothing for full-time emergency management personnel who may be deployed for emergency operations, including when:

1. The Emergency Operations Center (EOC) is activated;
2. Emergency management personnel are deployed in the field to conduct damage assessments and response and recovery operations;
3. Assisting in and delivering official emergency management training and exercises, and;
4. Providing public information briefs and interviews on behalf of their emergency management agency.

The state or territory emergency management agency should maintain an inventory of such clothing and uniforms to allow for issuance to other personnel who may be deployed for emergency operations.

In addition:

- EMPG funding **may not** be used to purchase clothing that would be used for everyday wear by emergency management employees or other personnel; and
- Clothing, uniforms, undergarments, jackets, vests, etc. are also allowable for CERT members as listed on the Authorized Equipment List (AEL): 21GN-00-CCEQ | FEMA.gov.

For a complete list of other eligible clothing and protective gear allowable for purchase with EMPG funding, applicants, recipients and FEMA staff are encouraged to refer to the AEL website for the most up to-date information: Authorized Equipment List | FEMA.gov.

C. Equipment

Equipment costs are allowed under this program only as described in this NOFO and the Preparedness Grants Manual.

Allowable equipment categories for the EMPG Program are listed in the AEL. Unless otherwise stated, equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment. Allowable equipment includes equipment from the following AEL categories:

- Personal Protective Equipment (Category 1);
- Information Technology (Category 4);
- Cybersecurity Enhancement Equipment (Category 5);
- Interoperable Communications Equipment (Category 6);
- Detection Equipment (Category 7);
- Power Equipment (Category 10);
- Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) Reference Materials (Category 11);
- CBRNE Incident Response Vehicles (Category 12);
- Physical Security Enhancement Equipment (Category 14);
- CBRNE Logistical Support Equipment (Category 19); and
- Other Authorized Equipment (Category 21).

In addition to the above, general-purpose vehicles may be procured in order to carry out the responsibilities of the EMPG Program.

If recipients have questions concerning the eligibility of equipment not specifically addressed in the AEL, they should contact their Regional EMPG Program Manager for clarification. 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, please reference 2 C.F.R. Part 200, including 2 C.F.R. §§ 200.310, 200.313, and 200.316. Also see 2 C.F.R. §§ 200.216, 200.471, and FEMA Policy #405- 143-1, Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services, or successor policy, regarding prohibitions on covered telecommunications equipment or services.

Recipients using EMPG Program funds to support emergency communications equipment activities must comply with the SAFECOM Guidance on Emergency Communications Grants, including provisions on technical standards that ensure and enhance interoperable communications. See the Preparedness Grants Manual for more information.

In general, with exception of critical emergency supplies and the associated inventory management plan, equipment included in the AEL may be purchased without separate approval from FEMA. However, as with all grant-funded activities, the equipment purchase must be well justified and reasonable. Furthermore, the purchase must be supported by the approved Work Plan. If the equipment is not clearly supported by the approved Work Plan, the recipient must seek advance approval from the applicable FEMA Regional Grant Program Office prior to purchasing the equipment, and an updated Work Plan may be required.

FEMA will consider requests to purchase equipment that is not listed in the AEL on a case-by-case basis. Such requests should be submitted in writing to the applicable FEMA Regional Grant Program Office. FEMA's review and approval of such requests will involve both the FEMA regional office and headquarters program staff to ensure nationwide consistency in the decision-making process and to support any necessary updates to the AEL.

Costs associated with the development and maintenance of fixed and mobile contingency communications and information systems as well as investments in hardening and other resilience strategies to ensure the continuance of essential government functions and services are allowed.

Small Unmanned Aircraft Systems (sUAS) and critical emergency supply costs are also allowable under this program. See the Preparedness Grants Manual for more information. Additional information and requirements applicable to sUAS purchases can be found in the AEL at 03OE-07-SUAS.

D. Training and Exercises

Training and exercise costs are allowed under this program only as described in this NOFO and the Preparedness Grants Manual.

EMPG Program funds may be used for a range of emergency management-related training activities to enhance the capabilities of state and local emergency management personnel through the establishment, support, conduct, and attendance of training. Training activities should align to a current, multi-year Integrated Preparedness Plan (IPP) developed through an annual Integrated Preparedness Planning Workshop (IPPW) and build from training gaps identified in

the THIRA/SPR process. Further guidance concerning the IPP and the IPPW can be found at Preparedness Toolkit Program Management Templates. Training should:

- Foster the development of a community-oriented approach to emergency management that emphasizes engagement at the community level;
- Strengthen best practices; and
- Provide a path toward building sustainable resilience.

Allowable training-related costs include the following:

1. **Funds Used to Develop, Deliver, and Evaluate Training**: Includes costs related to administering training, such as planning, scheduling, facilities, materials and supplies, reproduction of materials, and equipment. Training should provide the opportunity to demonstrate and validate skills learned, as well as to identify any gaps in these skills. Any training or training gaps, including those for children and individuals with disabilities or other access and functional needs, should be identified in the multi-year IPP and addressed in the training cycle. States are encouraged to use existing training rather than developing new courses. When developing new courses, states are encouraged to apply the Analysis, Design, Development, Implementation, and Evaluation (ADDIE) model for instructional design. More information is available at NTED | Training Resource Development Center;
2. **Overtime and Backfill**: Overtime costs, including payments related to backfilling personnel, that are the direct result of attendance at FEMA and/or approved training courses and programs are allowable. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the state or unit(s) of local government and has the approval of the state or FEMA, whichever is applicable. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government and from an award for a single period of time (e.g., 1:00 p.m. to 5:00 p.m.), even though such work may benefit both activities;
3. **Travel**: Travel costs (e.g., airfare, mileage, per diem, and hotel) are allowable as expenses by employees who are on travel status for official business related to approved training. International travel is not an allowable cost under this program unless approved in advance by FEMA;
4. **Hiring of Full- or Part-Time Staff or Contractors/Consultants**: Full- or part-time staff or contractors/consultants may be hired to support direct training-related activities. Hiring of contractors/consultants must follow the applicable federal procurement requirements at 2 C.F.R. §§ 200.317-200.327. Payment of salaries and fringe benefits must be in accordance with the policies of the state or unit(s) of local government and have the approval of the state or FEMA, whichever is applicable; and
5. **Certification/Recertification of Instructors**: Costs associated with the certification and recertification of instructors are allowed. States are encouraged to follow the FEMA Instructor Quality Assurance Program to ensure a minimum level of competency and corresponding levels of evaluation of student learning. This is particularly important for those courses that involve training of trainers.

Additional types of allowable training or training-related activities include, but are not limited to:

- Developing/enhancing systems to monitor training programs;
- Public Alert and Warning System training;
- Conducting all-hazards emergency management training;
- Attending EMI training or delivering EMI train-the-trainer courses;
- Attending other FEMA-approved emergency management training;
- State-approved, locally sponsored CERT training;
- Participating in FEMA Continuity Excellence Service Certificate Program activities; and
- Mass evacuation training at local, state, territorial and tribal level.

Allowable exercise-related costs include:

1. **Funds Used to Design, Develop, Conduct and Evaluate Preparedness Exercises**: This includes costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel, and documentation. Recipients are encouraged to use free public space/locations/facilities whenever available prior to the rental of space/locations/facilities. Exercises should provide the opportunity to demonstrate and validate skills learned, as well as to identify any gaps in these skills. Gaps identified during an exercise, including those for children and individuals with disabilities or other access and functional needs, should be included in the AAR/IP and addressed in the exercise cycle;
2. **Hiring of Full- or Part-Time Staff or Contractors/Consultants**: Full- or part-time staff may be hired to support direct exercise activities. Payment of salaries and fringe benefits must be in accordance with the policies of the state or unit(s) of local government and have the approval of the state or FEMA, whichever is applicable. The services of contractors/consultants may also be procured to support the design, development, conduct, and evaluation of exercises. Hiring of contractors/consultants must follow the applicable federal procurement requirements at 2 C.F.R. §§ 200.317-200.327;
3. **Overtime and Backfill**: The entire amount of overtime costs, including payments related to backfilling personnel, that are the direct result of time spent on the design, development and conduct of exercises are allowable expenses. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the state or unit(s) of local government and has the approval of the state or FEMA, whichever is applicable. Dual compensation is never allowable, meaning, in other words, that an employee of a unit of government may not receive compensation from their unit or agency of government and from an award for a single period of time (e.g., 1:00 p.m. to 5:00 p.m.), even though their work may benefit both entities;
4. **Travel**: Travel costs (e.g., airfare, mileage, per diem, hotel) are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of the exercise activities;
5. **Supplies**: Supplies are items that are expended or consumed while planning and conducting the exercise activities (e.g., gloves, non-sterile masks, and disposable protective equipment);
6. **HSEEP Implementation**: This refers to costs related to developing and maintaining an exercise program consistent with HSEEP; and

7. **Other Items**: These costs are limited to items consumed in direct support of exercise activities, such as space/locations rentals for planning and conducting an exercise, equipment rentals (e.g., portable toilets, tents), food/refreshments, and the procurement of other essential nondurable goods.

Costs associated with the provision of reasonable accommodations and modifications that facilitate full access for children and adults with disabilities are allowable.

Unauthorized exercise-related costs include:

- Reimbursement for maintenance and/or wear and tear costs of general use vehicles (e.g., construction vehicles) and emergency response apparatus (e.g., fire trucks, ambulances). The only vehicle costs that are reimbursable are fuel/gasoline or mileage;
- Equipment that is purchased for permanent installation and/or use beyond the scope of exercise conduct (e.g., electronic messaging signs); and
- Durable and nondurable goods purchased for installation and/or use beyond the scope of exercise conduct.

E. Travel

Domestic travel costs are allowed under this program, as provided for in this NOFO and the Preparedness Grants Manual. International travel is not an allowable cost under this program unless approved in advance by FEMA.

F. Construction and Renovation

Construction and renovation costs are allowed under this program only as described in this NOFO and the Preparedness Grants Manual. All proposed construction and renovation activities must undergo an Environmental Planning and Historic Preservation (EHP) review, including approval of the review from FEMA, before undertaking any action related to the project. Failure of a grant recipient to meet these requirements may jeopardize Federal funding.

Construction and renovation projects for a state, local, tribal, or territorial government's principal Emergency Operations Center (EOC), as defined by the SAA, as well as costs associated with the development and maintenance of capabilities such as alternate sites and associated fixed and mobile communications and information systems as well as investments in hardening and other resilience strategies to ensure the continuance of essential government functions and services are allowable under the EMPG Program. FEMA must provide written approval prior to the use of any EMPG Program funds for construction or renovation. Requests for EMPG Program funds for construction of an EOC must be accompanied by an EOC Investment Justification (located in the Related Documents tab of the EMPG Program Grants.gov posting) to their Regional EMPG Program Manager for review. Additionally, recipients are required to submit a SF-424C Form, SF-424D Form, and Budget detail citing the project costs.

The above examples are not intended to exclude other construction projects as potentially allowable costs. For example, construction of a facility for the storage and distribution of critical emergency supplies and/or to serve as a staging area for deployment of emergency response resources is potentially an allowable expense. Other construction or renovation projects, such as

a secondary or local EOC, will be considered on a case-by-case basis, as described below in the guidance regarding advance written approval.

a. ***Advance Approval Requirement***

Recipients must receive advance written approval from FEMA prior to the use of any annual EMPG Program funds for construction or renovation, including such activities at the subrecipient level. Such costs would need to fall within the scope of the recipient's final approved Work Plan, otherwise an updated Work Plan may be required. Such requests should be submitted in writing to the applicable FEMA Regional Grant Program Office. FEMA's review and approval will involve both the regional office and the FEMA Grant Programs Directorate.

b. ***Real Property Use and Disposition Requirements***

Real property improved under a federal award falls under the 2 C.F.R. Part 200 guidance for real property. In accordance with 2 C.F.R. § 200.311, a recipient or subrecipient may only use real property acquired or improved under a federal award for the originally authorized purpose, as long as it is needed for that purpose, during which time the recipient or subrecipient must not dispose of or encumber its title or other interests. However, upon the end of that period where it needs the property for the originally authorized purpose (i.e., the functional use of the property for which FEMA awarded the grant), the recipient or subrecipient will then dispose of the property in keeping with the requirements set forth in 2 C.F.R. § 200.311. When a grant-funded property is no longer needed for the originally authorized purpose, the recipient or subrecipient (through the pass-through entity) must obtain disposition instructions from the cognizant FEMA Regional Administrator or the pass-through entity. For additional information on this, see Information Bulletin 458a, Clarifying Guidance for the Annual Emergency Management Performance Grant (EMPG) and the FY 2020 COVID-19 EMPG Supplemental (EMPG-S) Programs.

c. ***Construction of Communication Towers***

When applying for funds to construct communication towers, recipients and subrecipients must submit evidence that the Federal Communication Commission's Section 106 review process has been completed and submit all documentation resulting from that review to FEMA prior to submitting materials for EHP review. Recipients and subrecipients are also encouraged to have completed as many steps as possible for a successful EHP review in support of their proposal for funding (e.g., coordination with their State Historic Preservation Office to identify potential historic preservation issues and to discuss the potential for project effects, compliance with all state and EHP laws and requirements). Projects for which the recipient believes an Environmental Assessment may be needed, as defined in Implementation of the National Environmental Policy Act, and EHP Directive and Instructions: FEMA Directive 108-1 and FEMA Instruction 108-1-1, must also be identified to the Regional EMPG Program Manager within six months of the award, and completed EHP review materials must be submitted no later than 12 months before the end of the period of performance. EHP review packets should be sent to gpdehpinfo@fema.gov.

d. ***Davis-Bacon Act Compliance***

EMPG Program recipients using funds for construction projects must comply with the Davis-Bacon Act and subsequent legislation (codified as amended at 40 U.S.C. §§ 3141-3144, 3146-3148). Grant recipients must ensure that their contractors or subcontractors for construction projects pay workers no less than the prevailing wages for laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the state in which the work is to be performed. Additional information regarding compliance with the Davis-Bacon Act, including Department of Labor wage determinations, is available at Davis-Bacon and Related Acts.

e. ***Accessibility Compliance***

EMPG Program recipients using funds to build or alter buildings must comply with accessibility requirements under the Rehabilitation Act of 1973 and Architectural Barriers Act of 1968 (ABA), as well as the Americans with Disabilities Act (ADA), if applicable, to ensure individuals with disabilities have access to such buildings. Accessibility standards under the ABA and ADA are highly similar. Additional information regarding compliance with the ABA is available at Guide to the ABA.

G. Acquisition of Real Property

Acquisition of real property is permissible if such property is needed to support other allowable program costs or activities. For additional information on this, see Information Bulletin 458a, Clarifying Guidance for the Annual Emergency Management Performance Grant (EMPG) and the FY 2020 COVID-19 EMPG Supplemental (EMPG-S) Programs.

a. ***Advance Approval Requirement***

Consistent with the requirements outlined above regarding construction activities, recipients and subrecipients (through the pass-through entity) must obtain advance written approval from the cognizant FEMA Regional Administrator prior to obligating annual EMPG Program funds for acquisition of real property. Additionally, in cases of acquisition or improving real property, recipients are required to submit a SF-429-B, Real Property Status Report, Attachment B providing details of the relevant property to be acquired.

b. ***Property Use, Reporting, and Disposition Requirements***

The acquisition, use, and disposition of real property shall be subject to the provisions of 2 C.F.R. Part 200. In accordance with 2 C.F.R. Part 200, recipients and subrecipients are required to report on the status of the acquired property on an annual basis using SF-429-A, Real Property Status Report, Attachment A (General Reporting). Such reporting shall continue as long as the property is being used for the originally authorized purpose.

The same use and disposition guidance as outlined in Sections 11.F.b above applies to real property acquired with annual EMPG Program funds. For additional information on this, see Information Bulletin 458a, Clarifying Guidance for the Annual Emergency Management Performance Grant (EMPG) and the FY 2020 COVID-19 EMPG Supplemental (EMPG-S) Programs.

H. Leasing of Real Property

Leasing of real property is permissible if the property is needed to support other allowable annual EMPG Program activities.

a. ***Advance Approval Requirement***
Recipients and subrecipients (through the pass-through entity) must obtain advance written approval from the cognizant FEMA Regional Administrator prior to obligating annual EMPG Program funds for the leasing of real property.

b. ***Allowable Period of Lease Expenses***
In cases where a property will be leased and the lease will be paid in full or in part using annual EMPG Program, any costs associated with the lease that are charged to an annual EMPG Program award must occur within the period of performance of the associated award(s). Real property lease costs must also comply with 2 C.F.R. Part 200

I. Operational Overtime
Operational overtime costs are allowed under this program only as described in this NOFO and the Preparedness Grants Manual.

J. Whole Community Preparedness
EMPG Program recipients should engage with the whole community to advance community and individual preparedness and to work as a nation to build and sustain resilience. Recipients should integrate program design and delivery practices that ensure representation and services for disaster vulnerable populations that may be more impacted by disasters including children, seniors, individuals with disabilities or other access and functional needs, individuals with diverse culture and language use, individuals with lower economic capacity, and other disaster vulnerable populations.

Individual preparedness should be coordinated by an integrated body of government and nongovernmental representatives as well, including but not limited to, elected officials, the private sector (especially privately owned critical infrastructure), private nonprofits, nongovernmental organizations (including faith-based, community-based, and voluntary organizations), advocacy groups for disaster vulnerable populations that may be more impacted by disasters including children, seniors, individuals with disabilities or other access and functional needs, individuals with diverse culture and language use, individuals with lower economic capacity, and other disaster vulnerable populations. By engaging these stakeholders, EMPG Program recipients can help FEMA develop and promote a suite of well-targeted solutions for individuals and communities to adopt. Recipients should coordinate preparedness initiatives with FEMA and whole community partners to efficiently apply federal funding to reach the goal of individual and community resilience.

The following preparedness programs are allowable expenses and resources:

- Community Emergency Response Team (CERT) programs, which educate volunteers about disaster preparedness for the hazards that may impact their area and train them in basic disaster response skills, such as fire safety, light search and rescue, team organization, and disaster medical operations. CERT offers a consistent, nationwide

approach to volunteer training and organization that professional responders can rely on during disaster situations, allowing them to focus on more complex tasks.

- Financial Preparedness Activities that encourage and assist Americans in preparing for the true cost of disasters. Allowable activities include encouraging emergency savings, promoting home and renter's insurance, and promoting flood insurance for individuals and families. Partnerships with local financial wellness organizations such as credit unions, financial counselors, community banks, and others that reach a variety of audiences are encouraged.
- Preparedness of Community-Based Organizations that serve as a critical safety net for Americans disproportionately impacted by disasters. Examples of community-based organizations include but are not limited to food banks, food pantries, homeless shelters, school readiness and after school centers, adult day care centers, job training centers, legal assistance centers, and cultural centers. Allowable activities include Whole Community exercises, trainings, and activities focused on staff preparedness, information sharing with clients and government, and continuity of essential functions in the event of an emergency.
- Youth Preparedness Resources are available on Ready Kids. Bolstering youth preparedness across the nation is a priority for FEMA as the Agency works with state, local, tribal, and territorial partners to create a culture of preparedness in the United States. Information on youth-centric educational curricula, games, planning materials, and other relevant resources can be found at Ready Kids. Furthermore, FEMA's Individual and Community Preparedness Division and regional-based Community Preparedness Officers are available to provide grant recipients with guidance and assistance. Please email FEMA-Prepare@fema.dhs.gov to contact one of the Agency's subject matter experts.

The following are examples of youth preparedness activities that recipients are encouraged to undertake as allowable costs:

1. Outreach to a local school board or elementary school to encourage the adoption of the Student Tools for Emergency Planning (STEP) curriculum. STEP is a classroom-based emergency preparedness curriculum for 4th - and 5th -graders in an easy, ready-to-teach format. Students will learn about disasters, emergencies, and hazards, and how to create a disaster supply kit and family emergency communication plan. An overview of the STEP program along with the instructor guide and student activity book is available at Ready STEP.
2. Sponsor the creation of a Teen for Community Emergency Response Team (CERT) in your jurisdiction. The CERT Program is a national program of volunteers trained in disaster preparedness and emergency response. Volunteers come from all ages and all walks of life, including teenagers. Additional information, including a step-by-step guide on how to start a Teen CERT, is available at Ready Teen CERT.

The following tools are available to order from FEMA's warehouse free of charge:

1. "Prepare with Pedro" is a joint product of FEMA and the American Red Cross. The "Prepare with Pedro: Disaster Preparedness Activity Book" is designed to teach young children and their families about how to stay safe during disasters and emergencies. The

book follows Pedro around the United States and offers safety advice through crosswords, coloring pages, matching games, and more. Additional information, including an ordering form, is available at Ready - Prepare with Pedro.

2. The Ready 2 Help card game is a fun way for kids to learn how to respond to emergencies by working with friends and using skills that will help in a real emergency. Ready 2 Help teaches five simple steps to stay safe and make a difference until help arrives:
   - Stay Safe
   - Stay Calm
   - Get Help
   - Give Info
   - Give Care
   - Ready 2 Help is designed for children ages 8 and up. Additional information, including an ordering form, is available at Ready 2 Help.

K. Maintenance and Sustainment

Maintenance and sustainment costs are allowed under this program only as described in this NOFO and the Preparedness Grants Manual.

L. Amendments for EMPG Program Costs

In 2 C.F.R. § 200.308(i) it states that the Federal awarding agency may, at its option, restrict transfer of funds among direct cost categories where the Federal share exceeds the simplified acquisition threshold, and the cumulative amount of the transfer exceeds 10% of the total budget last approved by the awarding agency. For purposes of 2 C.F.R. § 200.308(i), the term "budget" includes both the federal and non-federal cost share. For EMPG Program awards (which include a 50% cost share), if the recipient wants to revise their budget and there are transfers between the direct cost categories exceeding the Simplified Acquisition Threshold and the cumulative amount of the transfers exceeds 10% of the total project costs (federal and non-federal), then EMPG recipients must request prior written approval from their Regional EMPG Program Manager for those transfers and amendments. Recipients should consult with their Regional EMPG Program Manager prior to making any changes to their EMPG Program Work Plan. For more information on EMPG Program Work Plans, please see the appendix in Section 12 of this NOFO.

12. Appendix B: EMPG Program Work Plan

A. EMPG Program Work Plan
Submission of an EMPG Program Work Plan is mandatory. The Work Plan outlines the state's emergency management sustainment and enhancement efforts, including new and ongoing activities and projects, that are driven by identified preparedness priorities and proposed for the EMPG Program period of performance. An FY 2025 EMPG Program Work Plan Template (available on the Grants.gov EMPG Program application page and on the EMPG Program page on FEMA.gov) is provided to facilitate the work plan development process. The submitted Work Plan must address all the data and information requirements included in the FY 2025 EMPG Program Work Plan Template and in the supplemental guidance included in this section. Therefore, EMPG Program applicants are strongly encouraged to use the provided FY 2025 EMPG Program Work Plan Template.

Prior to submission of the EMPG Program Work Plan, the applicant must work with the Regional Administrator or designated Regional EMPG Program Manager to identify three-to-five priority areas which will serve as the focus for EMPG Program-funded investments. The priorities must be mutually agreed to by the applicant and Regional Administrator and should be driven by the THIRA/SPR process – specifically, the outputs from the THIRA/SPR process – and other relevant information sources such as AARs, audit and monitoring findings, Hazard Mitigation Plans and other deliberate planning products. Priorities should also reflect those included in each recipient's IPP so that recipients are focusing all investments, projects, and other resources on a common set of priorities. As they select priorities, applicants should consider which capability gaps would be most operationally consequential, must be closed most urgently, and could be meaningfully addressed within the period of performance. Applicants should refer to Section 3.B. above for further guidance on the priority identification process.

Applicants must set at least one performance goal for each RA agreed-upon priority area that achieves a specific outcome. Each goal must be specific, measurable, and achievable within the period of performance, relevant to the priority area, and have a target date for completion. Applicants must describe how achieving each goal or objective will impact the priority area it supports by the end of the period of performance. Each goal must include an estimate quantifying the extent to which the supporting investments will close capability gaps (e.g., "Increase the percentage of people who can find and secure long-term housing by 10% within 1 year of an incident"). The FY 2025 EMPG Program Work Plan Template includes instructions and examples to help guide this process so that recipients can develop goals that focus on achieving specific outcomes.

The Regional Administrator or designated Regional EMPG Program Manager will ensure that the mutually agreed priorities are fully addressed in the EMPG Program Work Plan. In addition, the Regional Administrator must approve final Work Plans before states may draw down EMPG Program funds. Grant funds will be released upon approval of the state's final Work Plan.

Following Work Plan approval, regional EMPG Program Managers will work closely with recipients to monitor progress toward goals and activities in the Work Plans during the

performance period and may request further documentation from the recipients to clarify the projected Work Plan. Further, in accordance with 2 C.F.R. § 200.308 – Revision of budget and program plans, any changes to the approved Work Plan – including changes in project scope and budget changes within any direct cost category exceeding 10% of the total award amount – will require advance approval from the Regional Administrator or designated Regional EMPG Program Manager.

a. *Instructions*

The FY 2025 EMPG Program Work Plan Template reflects the collection of objective information and quantitative data that will allow FEMA to measure program effectiveness and investment impacts more effectively. This also enables compliance with 2 C.F.R. § 200.301, which requires federal awarding agencies to measure recipient performance to show achievement of program goals and objectives, share lessons learned, improve program outcomes, and foster adoption of promising practices. To this end, the FY 2025 EMPG Program guidance in the NOFO and Work Plan requires recipients to link EMPG Program-funded investments to THIRA/SPR results and other relevant materials that inform capability priorities and needs and to include specific performance measures that will allow FEMA to measure the impact of those investments based on the core capabilities that are addressed.

The FY 2025 EMPG Program Work Plan Template largely complements the THIRA/SPR process outlined in the Comprehensive Preparedness Guide (CPG) 201, Third Edition (CPG 201, v3). As noted in CPG 201, v3, a coordinated approach to track investments, and understand the return on investments, can help improve the effectiveness of those investments. Tracking how EMPG Program-funded investments result in specific, quantitative changes in capabilities can help guide communities' strategic planning considerations and inform resource allocation decisions that will maximize effectiveness in building or sustaining capabilities. Therefore, applicants are encouraged to refer to CPG 201, v3, along with their most recent THIRA and SPR, when developing their EMPG Program Work Plan.

The FY 2025 EMPG Program Work Plan Template consists of the following tabs: Definitions and Guidance, Quick Links, Grant Investment Strategy, Grant Activities Outline, Detailed Budget – Excluding M&A, Budget Narrative – Excluding M&A, Detailed Budget – M&A Only, Budget Narrative – M&A Only, EMPG Program Summary, Implementation Schedule, Training Data Table, and Exercise Data Table. As explained above, the focus of the FY 2025 EMPG Program Work Plan Template is on improving data collection to better enable measurement of grant outcomes. Therefore, the narrative content is minimized and many of the cells include dropdowns for selecting applicable data. This approach also helps to simplify the Work Plan development process.

Instructions for each Work Plan section are provided below. Additional guidance and instructions are provided in the FY 2025 EMPG Program Work Plan Template on Grants.gov.

b. *Definitions and Guidance*

The Definitions and Guidance tab collects applicant information and provides instructions for completing each subsequent tab.

c. *Quick Links*

The Quick Links Tab uses the link functionality in Excel to allow users to navigate throughout the template quickly and minimize the need to scroll through projects and implementation schedules.

d. *Grant Investment Strategy*

The intent of the Grant Investment Strategy tab of the FY 2025 EMPG Program Work Plan Template is to provide an overview of the state/territory's preparedness investment strategy. It should serve as the foundation for completing the remainder of the Work Plan. It includes separate sections to explain the following:

- The performance goals associated with each priority area;
- The most recent THIRA/SPR results;
- Significant risks and capability gaps that currently exist;
- Resulting preparedness priorities; and
- The anticipated impact of the proposed EMPG Program-funded investments.

For the Performance Goals section, the applicant should identify the three-to-five priorities that were mutually agreed to and approved between the Regional Administrator and the state/territory. These goals serve as the focus for the EMPG Program-funded investments. The reference materials used to identify the priorities should be cited and their relevance explained in this section. At least one performance goal should be identified for each priority area. Each goal must be specific, measurable, achievable within the period of performance, relevant to the priority area, and have a target date for completion (i.e., SMART goal). It should describe how achieving each goal will impact the priority area it supports by the end of the period of performance.

e. *Grant Activities Outline*

The Grant Activities Outline (GAO) is used to capture the proposed EMPG Program-funded projects and link them to the identified priorities, performance goals, and gaps or needs. Coupled with the Implementation Schedule, the GAO supports identification and tracking of EMPG Program-funded project outcomes, which will enable better understanding of the impacts of those investments relative to the performance goals and the associated core capabilities. Identifying and tracking project outcomes also supports compliance with the Foundations for Evidence-Based Policy Making Act of 2018 and changes to 2.C.F.R related to performance, evaluation, and risk for federal grants. The GAO includes sections that allow the applicant to identify the performance goals that are supported by each project and the milestones that are critical to accomplishing each goal. Additional guidance on performance goals and milestones, including specific examples of each, are provided below.

The GAO also requires the applicant to explain the objective and anticipated impact of each project relative to the associated priorities, performance goals, and related core capabilities:

- The “Project Objective” should explain what the project will accomplish; specifically, how the project will address the identified gap or need and how it supports one or more of the identified performance goals.

- The "Anticipated Project Impact" should explain the expected project outcome relative to the associated priorities and performance goals.
    - The impact statement should include a quantitative estimate of the degree to which the project will contribute to achieving the identified performance goal (see hierarchy example below).

Effective completion of the GAO requires an understanding of the established planning hierarchy. Priorities are at the top of the hierarchy, followed by performance goals that define a clear outcome or end-state and provide the basis for addressing each priority. Project proposals should be identified based on the performance goals. High priority capability gaps or needs identified through the THIRA/SPR process, particularly SPR Step 2, and other assessments are also used to inform project selection and to identify specific project objectives. Project objectives, and accompanying impact statements, should complement the performance goals by including similar outcome-focused metrics, as explained above. Lastly, identifying the specific project activities are the last step in the process of completing the GAO. Project activities are key components and/or milestones that are critical to successful completion of the project.

An example of this planning hierarchy for completing the GAO is provided below:

- **Priority**: Logistics and Supply Chain Management
    - **Performance Goal**: Within 24 hours of an incident, identify and mobilize life-sustaining commodities, resources, and services to 10,000 people requiring shelter and 100,000 people requiring food and water. Maintain distribution system for at least 30 days.
        - **Project**: Update State Logistics and Distribution Management Plan and qualify 40 additional personnel for logistics operations in NQS.
            - **Project Objective/Impact**: Increase capacity to identify and mobilize life-sustaining commodities, resources, and services to people requiring shelter, food, and water by 50%, allowing the state to do so for 7,500 people requiring shelter and 75,000 requiring food and water within 24 hours of an incident and maintain that distribution system for at least 30 days.
                - **Activity**: Convene cross-discipline working group meeting on May 30, 2026, to review current State Logistics and Distribution Management Plan

All EMPG Program-funded investments must be accounted for in the GAO. However, recognizing that some sustainment activities, such as funding of emergency manager salaries, may not align to a specific priority or performance goal, applicants are not required to identify priorities and performance goals for such investments. However, all other portions of the GAO must be completed to justify the applicable sustainment costs.

In cases where emergency management personnel are not assigned to support specific projects included in the Work Plan, the applicant may choose to create a single project (e.g., Emergency Management Personnel Project) to encompass the majority of the EMPG Program-funded salaries and fringe benefits costs. This single project would be populated on the GAO and include the associated activities, priorities, goals, anticipated outcomes, milestones, etc. for the applicable EMPG Program-funded emergency management staff, including staff supporting the

M&A activities.

The various elements of the GAO tab are outlined below, along with basic instructions for completing the required entries. Supplemental guidance and instructions are included in the FY 2025 EMPG Program Work Plan Template.

- **Project Name:** Provide a descriptive name for each planned project. Examples include "Development of Emergency Function Annexes," "Development of Earthquake Scenario Loss Estimations," "Implementation of Statewide Interoperability Plan," "NIMS Training for Emergency Management Personnel," "Development of Emergency Preparedness Plan for Individuals with Disabilities," etc.
- **Brief Project Description:** Provide further details on the project, particularly where the project name does not sufficiently describe the project.
- **Gap or Need Addressed:** Briefly describe the specific gap or need addressed by the project.
- **Reference for Identified Gap or Need:** Select the documentation used to identify the cited gap or need from the drop-down menu.
- **Project Objective:** Explain how the project addresses the identified gap or need, and how it supports the identified priorities and performance goals.
- **Anticipated Project Impact:** Explain the expected project outcome relative to the associated priorities and performance goals.
- **Build or Sustain:** Select whether the project will build or maintain/sustain the identified core capability(ies).
- **EMPG Program National Priority Area:** Select the applicable National Priority Area from the drop-down menu.
- **Regional Administrator (RA) Agreed Upon Priority Area:** Select from a drop-down list of the 32 core capabilities and other priorities identified in the latest version of the National Preparedness Report. If the priority is not included in the drop-down list, enter "other" for Primary, Secondary and/or Tertiary, and then enter the priority in the adjacent cell.
- **POETE Category:** Select whether the project relates to Planning, Organization, Equipment, Training, or Exercises. Multiple POETE categories can be selected to accommodate projects that span multiple categories. For example, building capability often involves a combination of planning, training, and exercise activities. Space is provided to populate the Primary, Secondary and Tertiary POETE category.
- **Emergency Management Accreditation Program (EMAP) Standard Element:** This field is optional. It is made available to those states/territories that are EMAP certified and want to continue tracking their investments by EMAP Standard Elements. Select the appropriate EMAP Standard Elements from the drop-down menu, if applicable.
- **Mission Area:** Select the appropriate preparedness mission area supported by the project: Prevention, Protection, Mitigation, Response, or Recovery. Multiple mission areas can be selected to accommodate projects such as plans and exercises that involve multiple mission areas, and space is provided to populate the Primary, Secondary and Tertiary Mission Areas.

- **Core Capabilities:** Select up to five core capabilities supported by the project. Indicate whether the Core Capability has a target with a gap rated as high priority.
- **Performance Goals:** Select the performance goal(s) from the drop-down menu. The drop-down menu will consist of the performance goals as entered in the Grant Investment Strategy.
- **Current Capability Metrics:** Identify capability metrics prior to the project implementation.
- **Milestones:** Identify key project activities and other deliverables or outputs that are critical to accomplishing the identified performance goal and can be tracked to demonstrate progress toward achieving the performance goal.

B. Detailed Budget – Excluding M&A

The Detailed Budget – Excluding M&A tab enables a full accounting of all project activity costs, excluding M&A costs. This tab contains an itemization of non-M&A costs related to personnel, fringe benefits, travel, equipment, supplies, contractual services, construction, other, and indirect costs. For personnel and fringe benefits, the position title and percentage of time or fringe allocated to the EMPG Program grant is required. Each line item is assigned to its relevant project, allowing the information in mission areas, core capabilities, priorities, EMAP, and POETE categories to populate accordingly. This enables a breakdown of the full EMPG Program budget into various categories: Mission Area, Core Capabilities, National Priority Area, RA Agreed Upon Priority, EMAP Standard Elements, and POETE Category. The cells for each of these categories are automatically populated based on the project number as identified in the Grant Activities Outline.

C. Budget Narrative – M&A Only

The purpose of the Budget Narrative – M&A Only tab is to: 1) justify the need for each line item and the cost estimates; 2) explain how costs relate to the programmatic goals of the project(s); and 3) supplement other budget information provided on the Detailed Budget– M&A Only tab. For the Cost Share, applicants must include a detailed description of the source of the cost share/matching funds. If funds or services are to be provided by a third party for in-kind match, a dated letter of commitment is required to document the donation. This tab will include a narrative for each cost category of the budget.

D. Information for the Detailed Budget and Budget Narrative

This section of the Work Plan is a detailed description of the budget found in the SF-424A and must include a detailed discussion of how EMPG Program funds will be used. Applicants must **itemize** costs related to personnel, fringe benefits, travel, equipment, supplies, contractual costs, other direct costs, indirect costs, and total costs.

Applicants should use the following instructions and budget cost category descriptions to complete the Budget Detail section of the Work Plan.

Personnel: List each position with a brief description of the duties and responsibilities (no personnel names), as well as the salary computation for staff. If a Cost-of-Living Adjustment increase and/or merit pay increase in salary will be provided for the position, include those costs

in calculations for personnel and the associated fringe benefits on the applicable Detailed Budget and the Budget Narrative.

Fringe Benefits: List the computation for fringe benefits for each of the personnel listed in the budget worksheet. Estimated rates for fringe are allowable but provide the basis for that estimation in the budget narrative (e.g., average percent fringe paid for most employees within the agency). If not using an estimate, list fringe benefit and the associated costs for each employee that will be paid by EMPG Program funding (e.g., Social Security/FICA, Unemployment Compensation, Medicare, Retirement, Health Insurance, Life Insurance, etc.). Also, in cases where fringe benefits costs are included in an indirect cost rate agreement, the fringe benefits cannot also be charged as a direct cost for reimbursement.

Travel: Specify the mileage, per diem, estimated number of trips in-state and out-of-state, number of travelers, and other costs for each type of travel for staff. Travel may be integral to the purpose of the proposed project (e.g., management, monitoring and/or oversight of grant award and/or subrecipients) or related to propose project activities (e.g., attendance at training or meetings related to management of the EMPG Program award). Travel costs identified in this section are for employees of the applicant/recipient only. For travel costs related to staff training, include as many details as possible about each proposed training cost, including the name of the training course(s), training provider, personnel who will attend the training, proposed dates (estimates are accepted), etc. Travel category costs do not include 1) costs for travel of consultants, contractors, consortia members, or other partner organizations, which are included in the "Contractual" category; or 2) travel costs for employees of subrecipient agencies (those should be included in the Contractual category, if applicable).

Equipment: List each equipment item for EMPG Program purposes only by Line-Item Name and in the same order as listed on the Detailed Budget. Include a brief description of each equipment item (no brand names); per unit cost, quantity, and total cost; location of equipment (if other than the direct recipient agency); and how the equipment will be utilized. Equipment is defined in 2 C.F.R. § 200.1.

Supplies: Include all tangible personal property other than those described in the definition of "equipment" as defined by 2 C.F.R. § 200.1. Supplies are also defined in 2 C.F.R. § 200.1. The budget detail should identify categories of supplies to be procured for EMPG Program purposes only (e.g., printing supplies, office supplies, etc.) and the calculation of those costs (e.g., based on monthly rates or based on an average of previous years' similar costs). Non-tangible goods and services associated with supplies, such as printing service, photocopy services, and rental costs should be included in the "Other" category. Provide the basis for calculation of supplies including the Line-Item Name and list supplies in the Budget Narrative in the same order as listed on the Detailed Budget. Subrecipient M&A and non-M&A costs should be included in the "Other" category.

Contractual: Identify each proposed contract related to EMPG Program purposes only and specify its purpose and estimated cost. Contractual/consultant services are those services to be carried out by an individual or organization (do not include company or individual names in

budget narrative), other than the applicant, in the form of a procurement relationship. Leased or rented goods (equipment or supplies) for EMPG Program purposes should be included in the "Other" category. The applicant should list the proposed contract activities along with a brief description of the scope of EMPG Program work or services to be provided and proposed duration. Include the basis for the calculation of contractual services costs (e.g., contractor training instructor speaking fee, contractor travel costs and contractor instructional materials).

Other: This category should include only those types of direct costs that do not fit in any of the other budget categories and are related to EMPG Program purposes only. Include a description of each cost by Line-Item Name and in the same order as listed on the applicable Detailed Budget. Include the basis for calculation of the costs. Examples of costs for EMPG Program purposes that may be in this category include the following: insurance, rental/lease of equipment or supplies, equipment service or maintenance contracts, printing or photocopying rental, etc. Subrecipient M&A and non-M&A costs from their subawards (e.g., subgrants) are a distinct type of cost under this category. The term "subaward" means an award of financial assistance (money or property) by any legal agreement made by the recipient to an eligible subrecipient. This term does not include procurement purchases, technical assistance in the form of services instead of money, or other assistance in the form of revenue sharing, loans, loan guarantees, interest subsidies, insurance, or direct appropriations. Subcontracts are not subawards and belong in the contractual category. Applicants must provide the aggregate amount they propose to issue as subaward work and a description of the types of M&A and non-M&A activities to be supported.

Construction: Include construction costs, including renovation projects for a state or territorial government's principal EOC. Include a description of the types of construction or renovation services proposed and the calculation of these costs (no company or individual names). Subrecipient construction costs should be included in the Other category. M&A funding cannot be used for construction or renovation costs.

Indirect Costs: If indirect charges are budgeted, indicate the approved rate and base (the cost categories for which this indirect cost percentage rate will be applied.) Indirect costs are those incurred by the recipient for a common or joint purpose that benefit more than one cost objective or project and are not readily assignable to specific cost objectives or projects as a direct cost. In order for indirect costs to be allowable, the applicant must have a federal or state negotiated indirect cost rate (e.g., fixed, predetermined, final or provisional), or must have submitted a proposal to the cognizant federal or state agency. An approved Indirect Cost Rate Agreement signed by the recipient agency and the cognizant agency for the recipient, or a copy of the proposal to the cognizant federal or state agency for an indirect cost rate, must be included in the submission of the Work Plan Template for application purposes.
Examples of Indirect Cost Rate calculations are shown below:

1. Personnel (Indirect Rate x Personnel = Indirect Costs)
2. Personnel and Fringe (Indirect Rate x Personnel & Fringe = Indirect Costs)
3. Total Direct Costs (Indirect Rate x Total Direct Costs = Indirect Costs)

Applicants who wish to use a cost allocation plan in lieu of an indirect cost rate must also reach out to the FEMA Grants Management Specialist for further instructions. Per 2 C.F.R. Part 200, Appendix VII, paragraph D.1.c, this established rate must be accepted by any Federal agency to which the governmental department or agency applies for funding. Applicants who wish to request the case-by-case exception should reach out to their FEMA Grants Management Specialist for further instructions.

Post-award requests to charge indirect costs will be considered on a case-by-case basis and based upon the submission of an agreement or proposal as discussed above or based upon the de minimis rate or cost allocation plan, as applicable.

E. EMPG Program Summary

This tab includes summary information for the award as entered in the budget tabs and the Grant Activity Outline. The overall budget summary will include the total award amount, federal amount, non-federal amount (cost share), and M&A amount, along with the calculated percentage of each. The additional budget summary tables will calculate the amount allocated for federal funds, non-federal funds (cost share) and total project costs for each cost category. There is also a budget summary table with similar information for each primary mission area and core capability.

The EMPG Program Summary tab also provides users with an overview of their progress in the FY 2025 EMPG Program Performance Metrics. The metrics are automatically populated from the calculations of information provided in the GAO. These metrics aim to provide the count, percentage, and associated dollar amount affiliated with the following performance metrics: 1) Capability-building Projects for Alignment to Capability Gaps in SPR; 2) Funding Spent on Capability-building Projects Aligned to Capability Gaps in SPR; 3) Building Capabilities for High Priority Targets; 4) Regional and National Priority Area Alignment; and 5) Plans-Training-Exercise Alignment.

a. ***Implementation Schedule***

The Implementation Schedule includes the basic elements of a project management plan. It is used to capture key project activities to include both EMPG Program-funded activities that are critical to accomplishing the project objectives as identified in the Grant Activities Outline, as well as tasks that are essential to effective project management. Thus, this product can be used as a basic project management tool to plan and track the progress of key project activities and associated tasks. Key project activities should generally correlate with the "Milestones" identified for each project included in the Grant Activities Outline.

The Implementation Schedule enables the applicant to identify key project activities by year/quarter, the associated tasks, timelines, status reports, and challenges or risks that may affect successful completion of the activity as planned. It also allows for the tracking of project progress by including estimated and actual completion dates for each activity and the ability to enter quarterly accomplishments relating to the activity. This functionality allows for quarterly reporting of project progress, in accordance with the programmatic requirements of the EMPG

Program. Also, data from the Implementation Schedule should be completed and submitted to FEMA as a component of quarterly reporting on grant activities.

b. ***Training Data Table***

To facilitate consistent data reporting and performance measures collection, the FY 2025 EMPG Program Work Plan Template includes a Training Data Table. This table should reflect training activities outlined in the multi-year IPP and completion of required EMPG Program training courses. The data requirements are defined in the section below. Applicants/recipients are not required to report EMPG Program-funded personnel costs associated with training. Training related to the NQS is not reported on the Training Data Table. Also, data from the Training Data Table should be completed and submitted to FEMA as a component of quarterly reporting on grant activities. Upon entering the project name or number in the template, the cells located to the right of the main Training Data Table will auto-populate the associated priority, mission area, capabilities, and functional areas based on the project data included in the Grant Activities Outline.

1. Training Data Table Template

Project Number	Project Name	Name of Training	Scheduled Date	Date Training was Conducted/Completed	EMPG Program Required Training? (Y/N)	Number of Personnel Trained	NIMS Training Course Number (if applicable)	Training Identified in IPP (Y/N)

2. Training Data Table Definitions

- **Column 1** – Project Number from the GAO
- **Column 2** – Project Name from the GAO
- **Column 3** – Name of training course
- **Column 4** – Scheduled date of training course
- **Column 5** – Date training was conducted or completed
- **Column 6** – Is the training course required by the EMPG Program?
- **Column 7** – Number of personnel trained
- **Column 8** – NIMS Training Course Number (if applicable)
- **Column 9** – Is the training identified in the multi-year IPP?

c. ***Exercise Data Tables*** To facilitate consistent data reporting and performance measure collection, an Exercise Data Table should be completed for any exercises that meet EMPG Program requirements and/or exercises conducted in whole or part with EMPG Program funds. The Exercise Data should include EMPG Program-funded exercises and costs to run the exercise (e.g., planning, materials, props, contractual services for conducting the exercise, AAR and IP, etc.). Any exercise planned or conducted during the grant period of performance should be reported on the Exercise Data Table. Applicants/recipients are not required to report EMPG Program-funded personnel costs associated with exercises. Data from the Exercise Data Table should also be completed and submitted to FEMA as a

component of quarterly reporting on grant activities. The data requirements are defined in the section below. Upon entering the project name or number in the template, the cells located to the right of the main Exercise Data Table will auto-populate the associated priority, mission area, capabilities, and functional areas based on the project data included in the Grant Activities Outline.

1. Exercise Data Table Template

Project Number	Project Name	Name of Exercise	Scheduled Date	Date Exercise Conducted/Completed	Type of Exercise	Exercise Fulfills Progressive Exercise Requirement (Y/N)	Exercise Identified in IPP (Y/N)	Date AAR submitted to FEMA

2. Exercise Data Table Definitions:

- **Column 1** – Project Number from the GAO
- **Column 2** – Project Name from the GAO
- **Column 3** – Exercise Name
- **Column 4** – Scheduled date of exercise
- **Column 5** – Date exercise conducted/completed
- **Column 6** – Type of exercise (select from drop-down menu)
- **Column 7** – Is the exercise part of a progressive exercise series?
- **Column 8** – Is exercise identified in the multi-year IPP?
- **Column 9** – When was the AAR submitted to FEMA?

13. Appendix C: EMPG Requirements Matrix

ID	Category	Requirement	Location	Due Date Cycle	Due Date	Submission Plan
1	Allowability	Critical Emergency Supplies Purchases – 5-year viable inventory management plan with a distribution strategy	PGM, NOFO	With work plan submission or amendment (if applicable)	Varies	Work Plan/Amendment
2	Application	Work Plan	NOFO	Per the NOFO	Varies	FEMA GO
4	Closeout	Closeout Reporting Requirements. (Note: FEMA GO does not have a closeout module. Regional closeout processes vary.)	PGM	Per the Closeout notification letter	Varies	FEMA GO/Electronic Notification
5	Cost Share	Cost Share	NOFO	Application, Quarterly, Closeout	Varies	Work Plan Budget, Federal Financial Report (FFR)/SF-425 (Quarterly and at Closeout)
6	Davis-Bacon	Davis-Bacon Compliance	PGM, NOFO	For all EMPG projects	Varies	Monitoring
7	EHP	EHP approval	PGM, NOFO	Prior to any construction, renovation, or ground disturbing activity	Varies	Email to: CivilRightsEvaluation@hq.dhs.gov, and cc: Regional EMPG Program Manager
8	EHP	Construction of Communication Towers	PGM, NOFO	FCC Section 106 review must be completed prior to EHP review	Varies	Monitoring
9	EMAC	EMAC association	NOFO	Prior to award	Varies	Regional EMPG Program Manager to verify on EMAC website
10	Exercise	Exercise program negotiated (align with IPP/priorities)	PGM, NOFO	With work plan submission	Varies	Work Plan
11	Exercise	AAR (After Action Report)/IPs	PGM	90 days after completion of exercises conducted in Calendar Year (CY) Q4	Varies	Email to: hseep@fema.dhs.gov and cc: Regional EMPG Program Manager
12	Priorities	3-5 Applicant and RA mutually agreed upon Priorities (Note: These need not be the national priorities)	NOFO	With work plan submission	Varies	Work Plan

ID	Category	Requirement	Location	Due Date Cycle	Due Date	Submission Plan
13	Reporting	Threat and Hazard Identification and Risk Assessment (THIRA) submitted	PGM, NOFO	Every 3 years starting in 2022	31-Dec	Prep toolkit
14	Reporting	State Preparedness Review (SPR) submitted	PGM, NOFO	Annually	31-Dec	Prep toolkit
15	Reporting	National Incident Management System (NIMS)	PGM, NOFO	Annually	31-Dec	Unified Reporting Tool (URT)
15	Reporting	National Qualification System (NQS) implementation	PGM, NOFO	Phased-in Objectives due Annually	31-Dec	URT
17	Reporting	Distribution Management Plan (DMP) Plan review	PGM	After initial submission, DMP updates submitted annually, as necessary	30-Sep	Email to: Regional EMPG Program Manager
18	Reporting	Multi-year Training and Exercise Plan (TEP)/Integrated Preparedness Plan (IPP) developed	PGM, NOFO	Annually	31-Jan	Email to: hseep@fema.dhs.gov and cc: Regional EMPG Program Manager
19	Reporting	Periodic Performance Reporting (PPR) Status of all EMPG Program-funded plans, training and exercise activities must be reported quarterly.	PGM	Within 30 days after the end of the CY Quarter	30-Jan 30-Apr 30-July 30-Sep	FEMA GO
20	Reporting	Financial Quarterly Reporting	PGM	Within 30 days after the end of the CY Quarter	30-Jan 30-Apr 30-July 30-Sep	FEMA GO
21	Reporting	Biannual Strategy Implementation Report (BSIR)	PGM	Biannual	No later than: 30-Jan 30-July	FEMA GO
22	Reporting – Exercise	All EMPG Program-funded exercise activities must be reported quarterly.	PGM, NOFO	Quarterly	30-Jan 30-Apr 30-July 30-Sep	Exercise Data Table
23	Reporting – Training	All EMPG Program-funded training activities must be reported quarterly.	PGM, NOFO	Quarterly	30-Jan 30-Apr 30-July 30-Sep	Training Data Table

ID	Category	Requirement	Location	Due Date Cycle	Due Date	Submission Plan
24	Telecomms	FirstNet	PGM	With work plan submission (if applicable)	Varies	Verified by Regional EMPG Program Manager
25	Telecomms	SAFECOM	PGM	With work plan submission (if applicable)	Varies	Verified by Regional EMPG Program Manager
26	Training	Training activities captured (align with IPP/priorities)	PGM, NOFO	With work plan submission	Varies	Work Plan Training Data Table or PPR template
27	Training	EMPG funded personnel who have completed: • Basic Academy OR Professional Development Series AND • NIMS	PGM	On-going	Varies	Per Regional Guidance: • FEMA GO: with PPR • Roster to Regional EMPG Program Manager • Reviewed During Monitoring
28	Training	Training attendance information submitted within 30 days of attendance of training supported with EMPG funding (IB 432)	PGM, NOFO	On-going	Varies	Web-Forms

14. Appendix D: FY 2025 EMPG Program Allocations

EMPG Program awards are based on section 662 of the *Post-Katrina Emergency Management Reform Act of 2006*, Pub. L. No. 109-295 (codified as amended at 6 U.S.C. § 762). All 50 States, the District of Columbia, and Puerto Rico receive a base amount of 0.75% of the total available funding appropriated for the EMPG Program. Four territories (American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands) receive a base amount of 0.25% of the total available funding appropriated for the EMPG Program. The remaining balance of the funds appropriated for the EMPG Program are distributed on a population-share basis.

These are target allocations pending final decisions by the Department of Homeland Security. These target allocations act as an estimate, and final allocations may be different in the award letter.

FY 2025 EMPG Funding Target Allocations

State/Territory	Target Allocation	State/Territory	Target Allocation
Alabama	$5,273,376	Nevada	$4,218,945
Alaska	$2,809,119	New Hampshire	$3,182,252
Arizona	$6,625,941	New Jersey	$7,696,122
Arkansas	$4,119,030	New Mexico	$3,584,573
California	$24,392,241	New York	$13,478,822
Colorado	$5,719,526	North Carolina	$8,558,068
Connecticut	$4,446,318	North Dakota	$2,840,601
Delaware	$2,983,042	Ohio	$9,025,129
District of Columbia	$2,787,987	Oklahoma	$4,680,788
Florida	$15,434,002	Oregon	$4,779,512
Georgia	$8,633,293	Pennsylvania	$9,691,986
Hawaii	$3,202,955	Rhode Island	$3,016,730
Idaho	$3,512,816	South Carolina	$5,452,513
Illinois	$9,486,374	South Dakota	$2,912,059
Indiana	$6,258,827	Tennessee	$6,428,115
Iowa	$4,204,453	Texas	$19,851,254
Kansas	$4,053,347	Utah	$4,350,675
Kentucky	$4,955,787	Vermont	$2,758,000
Louisiana	$4,961,013	Virginia	$7,311,410
Maine	$3,180,010	Washington	$6,835,572
Maryland	$5,890,070	West Virginia	$3,383,600
Massachusetts	$6,377,029	Wisconsin	$5,721,468
Michigan	$8,052,915	Wyoming	$2,724,042
Minnesota	$5,627,851	Puerto Rico	$4,183,148
Mississippi	$4,037,973	U.S. Virgin Islands	$847,363
Missouri	$5,880,166	American Samoa	$826,480
Montana	$3,030,634	Guam	$884,565
Nebraska	$3,514,961	Northern Mariana Islands	$825,152
Total			**$319,500,000**

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 5

U.S. Dep't of Homeland Sec., *Notice of Funding Opportunity (NOFO): Fiscal Year 2024 Homeland Security Grant Program* (Apr. 15, 2024)

The U. S. Department of Homeland Security (DHS)
Notice of Funding Opportunity (NOFO)
Fiscal Year 2024 Homeland Security Grant Program

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)/Grant Programs Directorate (GPD)

2. Assistance Listings Number
97.067

3. Assistance Listings Title
Homeland Security Grant Program

4. Funding Opportunity Title
Fiscal Year 2024 Homeland Security Grant Program (HSGP)
- State Homeland Security Grant Program (SHSP)
- Urban Area Security Initiative (UASI)
- Operation Stonegarden (OPSG)

5. Funding Opportunity Number
DHS-24-GPD-067-00-98

6. Authorizing Authority for Program
Section 2002 of the Homeland Security Act of 2002 (Pub. L. No. 107-296, as amended) (6 U.S.C. § 603)

7. Appropriation Authority for Program
Department of Homeland Security Appropriations Act, 2024, Pub. L. No. 118-47, Title III, Protection, Preparedness, Response, and Recovery (2024 DHS Appropriations Act)

8. Announcement Type
Initial

9. Program Category
Preparedness: Community Security

10. Program Overview, Objectives, and Priorities

a. Overview
The Fiscal Year (FY) 2024 Homeland Security Grant Program (HSGP) is one of the three grant programs that constitute the DHS/FEMA focus on enhancing the ability of state, local, tribal, and territorial governments, as well as nonprofits, to prevent, protect against, and respond to terrorist attacks. These grant programs are part of a comprehensive set of measures authorized by Congress and implemented by DHS to help strengthen the Nation's communities against potential terrorist attacks.

In FY 2024, there are three components of the HSGP:

1) ***State Homeland Security Program (SHSP):*** SHSP assists state, local, tribal, and territorial (SLTT) efforts to build, sustain, and deliver the capabilities necessary to prevent, prepare for, protect against, and respond to acts of terrorism.

2) ***Urban Area Security Initiative (UASI):*** UASI assists high-threat, high-density Urban Area efforts to build, sustain, and deliver the capabilities necessary to prevent, prepare for, protect against, and respond to acts of terrorism.

3) ***Operation Stonegarden (OPSG):*** OPSG supports enhanced cooperation and coordination among Customs and Border Protection (CBP), United States Border Patrol (USBP), and federal, state, local, tribal, and territorial law enforcement agencies to improve overall border security. OPSG provides funding to support joint efforts to secure the United States' borders along routes of ingress/egress to and from international borders, to include travel corridors in states bordering Mexico and Canada, as well as states and territories with international water borders. SLTT law enforcement agencies utilize their inherent law enforcement authorities to support the border security mission and do not receive any additional authority by participating in OPSG.

Finally, for FY 2024, DHS is focused on the criticality of information sharing and collaboration to building a national culture of preparedness and protecting against terrorism and other threats to our national security. The threats to our nation have evolved during the past two decades. We now face continuous cyber threats by sophisticated actors, threats to soft targets and crowded places, and threats from domestic violent extremists, who represent one of the most persistent threats to the nation[1]. Therefore, for FY 2024, DHS has identified six priority areas (see Section A.10.b) related to the most serious threats to the nation, as well as required minimum funding allocations.

For a full list of SHSP and UASI recipients and a breakdown of OPSG funding by state for FY 2023, please refer to Information Bulletin (IB) 490a.

b. Goals, Objectives, and Priorities

Goal: The HSGP will fund SLTT efforts and strengthen capabilities of SLTT governments to prevent, prepare for, protect against, and respond to terrorist attacks and other threats and hazards that pose the greatest risk to the security of the United States.

Objectives: HSGP provides resources that support eligible SLTT governments; high-density urban areas, and SLTT law enforcement along international land/water borders and travel corridors in meeting the following objectives:

- Build and sustain core capabilities, including Law Enforcement and Terrorism Prevention Activities and the National Priority Areas (see priorities below);

[1]Strategic Intelligence Assessment and Data on Domestic Terrorism, Federal Bureau of Investigation and Department of Homeland Security, June 2023.

- Address capability gaps identified in their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR) process; and
- Implement a comprehensive and coordinated approach to address enduring security needs of communities that includes planning, training and awareness campaigns, equipment and capital projects, and exercises.

SHSP and UASI Funding Priorities: Given the evolving national security threat landscape, DHS/FEMA has evaluated the national risk profile and set priorities that help inform appropriate allocation of scarce security dollars. In assessing the national risk profile for FY 2024, six National Priority Areas pose the most concern. Due to the unique threats that the nation faces in 2024, DHS/FEMA has determined that recipients should allocate a total of 30% of their SHSP and UASI award funds across these six priority areas. As indicated below, one of the priorities has a minimum spend requirement totaling 3% of SHSP and UASI awards. Recipients will have the flexibility to allocate the remaining 27% across the priorities. The following are the six priority areas for FY 2024, along with the minimum corresponding percentage of SHSP and UASI funds that each recipient will be required to allocate:

1) Enhancing the protection of soft targets/crowded places – no minimum percent
2) Enhancing information and intelligence sharing and analysis – no minimum percent
3) Combating domestic violent extremism – no minimum percent
4) Enhancing cybersecurity – no minimum percent
5) Enhancing community preparedness and resilience – no minimum percent
6) Enhancing election security – 3%

Additional information about these priority areas and how they relate to achieving anti-terrorism capabilities is included in Section D of this NOFO. Failure by a recipient to propose investments and projects that align with the priority areas and spending requirements will result in a recipient having a portion of their SHSP and UASI funds (up to 30%) placed on hold until they provide projects that sufficiently align to the National Priority Areas, and total at least the minimum percentages per National Priority Area (as applicable) and overall 30% of total SHSP and UASI funds.

A state or high-risk urban area must allocate the remaining 70% of their funding to addressing capability gaps (e.g., building/sustaining capability and/or closing capability gaps) identified through their THIRA/SPR process.

Likewise, there are several enduring security needs that crosscut the homeland security enterprise to which recipients should consider allocating funding across core capability gaps and national priorities. The following are enduring needs that help recipients implement a comprehensive approach to securing communities:

1) Effective planning[2];
2) Training and awareness campaigns;
3) Equipment and capital projects; and
4) Exercises.

The table below provides a breakdown of the FY 2024 SHSP and UASI priorities (the focus of OPSG remains unique to border security), showing the core capabilities enhanced and lifelines supported, as well as examples of eligible project types for each area. More information on allowable investments can be found in the Section D.13 "Funding Restrictions and Allowable Costs" below and in the Preparedness Grants Manual (FM-207-23-001). DHS/FEMA anticipates that in future years, national priorities will continue to be included and will be updated as the threats evolve and as capability gaps are closed. Applicants are strongly encouraged to begin planning to sustain existing capabilities through funding mechanisms other than DHS preparedness grants. The example project types in the table below are allowable to prepare for disasters unrelated to acts of terrorism as long as they also help achieve target capabilities related to preventing, preparing for, protecting against, or responding to acts of terrorism.

FY 2024 SHSP and UASI Funding Priorities

All priorities in this table concern the Safety and Security Lifelines.

Priority Areas	Core Capabilities	Example Project Types
National Priorities		

Enhancing Cybersecurity	• Cybersecurity
	• Intelligence and information sharing
	• Planning
	• Public information and warning
	• Operational coordination
	• Screening, search, and detection
	• Access control and identity verification
	• Supply chain integrity and security
	• Risk management for protection programs and activities
	• Long-term vulnerability reduction
	• Situational assessment
	• Infrastructure systems
	• Operational communications
		• Cybersecurity risk assessments
		• Migrating online services to the ".gov" internet domain
		• Projects that address vulnerabilities identified in cybersecurity risk assessments
		  ○ Improving cybersecurity of critical infrastructure to meet minimum levels identified by the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology Cybersecurity Framework (Version 1.1)
		  ○ Adoption of cybersecurity performance goals (CISA's Cross-Sector Cybersecurity Performance Goals)
		• Cybersecurity training and planning

Enhancing the Protection of Soft Targets/ Crowded Places	• Operational coordination
	• Public information and warning
	• Intelligence and information sharing
	• Interdiction and disruption
		• Operational overtime. For more information on operational overtime, see Section D of this NOFO.
		• Physical security enhancements
		  ○ Security cameras (closed-circuit television [CCTV])
		  ○ Security screening equipment for people and baggage

[2]Including assessment of critical infrastructure system vulnerabilities and plans to reduce consequences of disruptions, using the Infrastructure Resilience Planning Framework and Regional Resiliency Assessment Methodology produced by the Cybersecurity and Infrastructure Security Agency.

Priority Areas	Core Capabilities	Example Project Types
	• Screening, search, and detection • Access control and identity verification • Physical protective measures • Risk management for protection programs and activities	○ Lighting ○ Access controls ○ Fencing, gates, barriers, etc. • Unmanned Aircraft Systems and detection technologies
Enhancing information and intelligence sharing and analysis	• Intelligence and information sharing • Interdiction and disruption • Planning • Public information and warning • Operational coordination • Risk management for protection programs and activities	• Fusion Center projects • Information sharing with all DHS components; fusion centers; other operational, investigative, and analytic entities; and other federal law enforcement and intelligence entities • Cooperation with DHS officials and other entities designated by DHS in intelligence, threat recognition, assessment, analysis, and mitigation • Identification, assessment, and reporting of threats of violence • Intelligence analysis training and planning • Coordinating the intake, triage, analysis, and reporting of tips/ leads and suspicious activity, to include coordination with the Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI)
Combating Domestic Violent Extremism	• Interdiction and disruption • Intelligence and information sharing • Planning • Public information and warning • Operational coordination • Risk management for protection programs and activities	• Open-source analysis of disinformation and misinformation campaigns, targeted violence and threats to life, including tips/leads, and online/social media-based threats • Sharing and leveraging intelligence and information, including open-source analysis • Development, implementation, and execution of threat assessment and management programs to identify, evaluate, and analyze indicators and behaviors indicative of terrorism and targeted violence • Training, awareness, and outreach programs to help identify and prevent radicalization, and report potential instances of terrorism and targeted violence
Enhancing Community Preparedness and Resilience	• Planning • Public Information and Warning • Community Resilience • Risk Management for Protection Programs and Activities • Mass Care Services • Intelligence and Information Sharing • Risk and Disaster Resilience Assessment • Long Term Vulnerability Reduction	• Establish, train, and maintain Community Emergency Response Teams (CERT) and Teen CERT, with a focus on historically undeserved communities, including procurement of appropriate tools, equipment, and training aides ○ Local delivery of CERT Train-the-Trainer and CERT Program Manager to build local program training and maintenance capacity • Provide continuity training, such as FEMA's Organizations Preparing for Emergency Needs training, to faith-based organizations, local businesses, and community-based organizations, such as homeless shelters, food pantries, nonprofit medical providers, and senior care facilities to bolster their resilience • Partner with local school districts to deliver the Student Tools for Emergency Planning curriculum or other educational programming to guide students on how to create emergency kits and family communications plans

Priority Areas	Core Capabilities	Example Project Types
		• Partner with key stakeholders to assist with completing the Emergency Financial First Aid Kit or a similar tool to bolster the disaster centric financial resilience of individuals and households • Execute You are the Help Until the Help Arrives workshops in concert with community-based organizations to bolster individual preparedness • Target youth preparedness using FEMA programing such as Prepare with Pedro resources and Ready2Help • Promote community planning, coordination, and integration of children's needs during emergencies through workshops like FEMA's Integrating the Needs of Children • Community Mapping: identify community resources and characteristics in order to identify gaps in resources, identify hazards and vulnerabilities, and inform action to promote resilience • Provide training and awareness programs with key stakeholders (e.g., through social media, community and civic organizations, etc.) to educate the public on misinformation and disinformation campaigns to increase individual and community resilience • Support integrated and cross-jurisdictional preparedness planning that considers how the community develops networks of information-sharing and collaboration among community-based organizations and government institutions to enable a quicker recovery from multiple threats, including terrorist actions
Enhancing Election Security	• Cybersecurity • Intelligence and information sharing • Planning • Long-term vulnerability reduction • Situational assessment • Infrastructure systems • Operational coordination • Community resilience	• Physical security planning support • Physical/site security measures – e.g., locks, shatter proof glass, alarms, access controls, etc. • General election security navigator support • Cyber navigator support • Cybersecurity risk assessments, training, and planning • Projects that address vulnerabilities identified in cybersecurity risk assessments • Iterative backups, encrypted backups, network segmentation, software to monitor/scan, and endpoint protection • Distributed Denial of Service protection • Migrating online services to the ".gov" internet domain • Online harassment and targeting prevention services • Public awareness/preparedness campaigns discussing election security and integrity measures
Enduring Needs		
Planning	• Planning • Risk management for protection programs and activities • Risk and disaster resilience assessment • Threats and hazards identification • Operational coordination	• Development of: ○ Security Risk Management Plans ○ Threat Mitigation Plans ○ Continuity of Operations Plans ○ Response Plans ○ Vulnerability Assessments

Priority Areas	Core Capabilities	Example Project Types
	• Community resilience	▪ Assessments should consider the impacts of climate change on investments to close identified security gaps[3] • Efforts to strengthen governance integration between/among regional partners • Joint training and planning with DHS officials and other entities designated by DHS • Cybersecurity training and planning • Revision of existing plans to strengthen community resilience in underserved communities
Training and Awareness	• Long-term vulnerability reduction • Public information and warning • Operational coordination • Situational assessment • Community resilience	• Active shooter training, including integrating the needs of persons with disabilities • Intelligence analyst training • SAR and terrorism indicators/behaviors training • Security training for employees • Public awareness/preparedness campaigns • Cybersecurity training and planning • Sharing and leveraging intelligence and information • Targeted outreach and preparedness training for underserved communities in conjunction with community-based organizations
Equipment and Capital Projects	• Long-term vulnerability reduction • Infrastructure systems • Operational communications • Interdiction and disruption • Screening, search and detection • Access control and identity verification • Physical protective measures	• Protection of high-risk, high-consequence areas or systems that have been identified through risk assessments • Physical security enhancements ○ Security cameras (CCTV) ○ Security screening equipment for people and baggage ○ Lighting ○ Access Controls ▪ Fencing, gates, barriers, etc. • Enhancing Weapons of Mass Destruction and/or improvised explosive device prevention, detection, and response capabilities ○ Chemical/Biological/Radiological/ Nuclear/Explosive detection, prevention, and response equipment
Exercises	• Long-term vulnerability reduction • Operational coordination • Operational communications • Community resilience	• Response exercises, including exercise planning with community-based organizations

For FY 2024, each SHSP and UASI recipient is required to submit an Investment Justification (IJ) for the National Priority Area with a minimum spend requirement (Enhancing Election Security). The investment must also account for at least the relevant minimum percentage (totaling 3%) of the applicant's SHSP and UASI allocation. State Administrative Agencies (SAAs) may submit complete project-level information at the time of application, including the National Priority Area IJs, but

[3] For more information on considering the impacts of climate change, please see Executive Order 14008, Tackling the Climate Crisis at Home and Abroad and Executive Order 14030, Climate-Related Financial Risk

are not required to do so. ***As a reminder, all SHSP- and UASI-funded projects must have a demonstrated nexus to achieving target capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism***. However, such projects may simultaneously support enhanced preparedness for disasters unrelated to acts of terrorism.

DHS/FEMA also requires SHSP and UASI recipients (states, territories, and high-risk urban areas) to complete a THIRA/SPR and prioritize grant funding to support building capability and/or closing capability gaps or sustaining capabilities that address national priorities and/or support enduring needs. Additional information on the THIRA/SPR process, including other National Preparedness System tools and resources, can be found at National Preparedness System | FEMA.gov. Detailed information on THIRA/SPR timelines and deadlines can be found in the Preparedness Grants Manual.

OPSG Funding Priorities: The table below provides a breakdown of the FY 2024 OPSG funding priority, which remains focused on and unique to border security.

FY 2024 OPSG Funding Priority

Priority Areas	Core Capabilities	Lifelines	Example Project Types
National Priorities			
Enhancing information and intelligence sharing and analysis, and cooperation with federal agencies, including DHS	• Intelligence and information sharing	• Safety and Security	• Participation in the DHS/ICE 287(g) training program • Information sharing with all DHS components; fusion centers; other operational, investigative, and analytic entities; and other federal law enforcement and intelligence entities • Cooperation with DHS officials and other entities designated by DHS in intelligence, threat recognition, assessment, analysis, and mitigation • Identification, assessment, and reporting of threats of violence • Joint intelligence analysis training and planning with DHS officials and other entities designated by DHS

For FY 2024, each OPSG applicant is required to clearly articulate and identify how the Concept of Operations addresses the national priority identified above.

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

Among the five basic homeland security missions noted in the DHS Strategic Plan for Fiscal Years 2020-2024, the HSGP supports the goal to Strengthen National Preparedness and Resilience.

The 2022-2026 FEMA Strategic Plan outlines three goals designed to position FEMA to address the increasing range and complexity of disasters, support the diversity of communities we serve, and complement the nation's growing expectations of the emergency management community. The HSGP supports FEMA's efforts to achieve

equitable outcomes for those we serve (Goal 1) and to promote and sustain a prepared nation (Goal 3). We invite our stakeholders and partners to also adopt these priorities and join us in building a more prepared and resilient nation.

11. Performance Measures

Performance metrics for this program:

SHSP and UASI:

- Percentage of funding allocated by the recipient to core capabilities to build or sustain national priorities identified in the section above
- Percentage of funding and projects allocated by the recipient that align to capability gaps identified through the THIRA/SPR process
- Percentage of projects identified by the recipient that address a capability gap in a core capability that has a target(s) rated as high

FEMA will calculate and analyze the above metrics through a review of state/territory and urban area SPR submissions and required programmatic reports.

OPSG:

- Number of contacts that occurred as a result of OPSG deployments
  - Number of arrests that resulted from OPSG contacts
  - Value of drug seizures that resulted from OPSG contacts

B. Federal Award Information

1. Available Funding for the NOFO: $1,008,000,000

HSGP Programs	FY 2024 Allocation
SHSP	$373,500,000
UASI	$553,500,000
OPSG	$81,000,000
Total	**$1,008,000,000**

SHSP Allocations

For FY 2024, DHS/FEMA will award SHSP funds based on DHS/FEMA's relative risk methodology and statutory minimums pursuant to the *Homeland Security Act of 2002*, as amended. ***THIRA/SPR results do not impact grant allocations or awards.***

Each state and territory will receive a minimum allocation under the SHSP using thresholds established in the *Homeland Security Act of 2002*, as amended. All 50 States, the District of Columbia, and the Commonwealth of Puerto Rico will receive 0.35% of the total funds allocated for grants under Section 2003 and Section 2004 of the *Homeland Security Act of 2002*, as amended. Each of the four territories (American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands) will receive a minimum allocation of 0.08% of the total funds allocated for grants under Sections 2003 and 2004 of the *Homeland Security Act of 2002*, as amended.

Each state must include a separate IJ for the National Priority Area with a minimum spend requirement (Enhancing Election Security). ***All projects related to the minimum spend for the National Priority Area must be included in the IJ.*** For this National Priority Area with a minimum spend percentage requirement, the funding level in that National Priority Area investment **must equal or exceed** 3%, calculated as a percentage of the state's SHSP allocation in the table below. The funding levels across all six National Priority Areas **must equal or exceed 30%** of the total SHSP allocation.

FY 2024 SHSP Allocations

State/Territory	FY 2024 Allocation	State/Territory	FY 2024 Allocation
Alabama	$4,362,750	Montana	$4,362,750
Alaska	$4,362,750	Nebraska	$4,362,750
American Samoa	$997,200	Nevada	$4,362,750
Arizona	$4,362,750	New Hampshire	$4,362,750
Arkansas	$4,362,750	New Jersey	$6,367,357
California	$51,332,060	New Mexico	$4,362,750
Colorado	$4,362,750	New York	$61,229,940
Connecticut	$4,362,750	North Carolina	$4,576,849
Delaware	$4,362,750	North Dakota	$4,362,750
District of Columbia	$4,576,849	Northern Mariana Islands	$997,200
Florida	$8,409,514	Ohio	$5,571,852
Georgia	$4,759,790	Oklahoma	$4,362,750
Guam	$997,200	Oregon	$4,362,750
Hawaii	$4,362,750	Pennsylvania	$7,322,627
Idaho	$4,362,750	Puerto Rico	$4,362,750
Illinois	$12,505,419	Rhode Island	$4,362,750
Indiana	$4,362,750	South Carolina	$4,362,750
Iowa	$4,362,750	South Dakota	$4,362,750
Kansas	$4,362,750	Tennessee	$4,362,750
Kentucky	$4,362,750	Texas	$16,389,406
Louisiana	$4,362,750	U.S. Virgin Islands	$997,200
Maine	$4,362,750	Utah	$4,362,750
Maryland	$6,367,357	Vermont	$4,362,750
Massachusetts	$5,571,852	Virginia	$7,322,627
Michigan	$4,576,849	Washington	$5,571,852
Minnesota	$4,362,750	West Virginia	$4,362,750
Mississippi	$4,362,750	Wisconsin	$4,362,750
Missouri	$4,362,750	Wyoming	$4,362,750
Total			**$373,500,000**

UASI Allocations

Eligible candidates for the FY 2024 UASI program are identified in the table below. Eligibility has been determined through an analysis of relative risk of terrorism faced by the 100 most populous Metropolitan Statistical Areas (MSA) in the United States, in accordance with the *Homeland Security Act of 2002*, as amended. Detailed information on MSAs is publicly available from the United States Census Bureau at Metropolitan and Micropolitan (census.gov). ***THIRA/SPR results do not impact grant allocations or awards.***

The Metropolitan Areas Standardization and Protection (MAPS) Act of 2021 (P.L. 117-219) prohibits automatically updating core-based statistical areas, which are used to delineate MSAs, for grantmaking. The MAPS Act requires that FEMA issue notice-and-comment rulemaking to make any changes. Should changes be necessary in FY 2024, FEMA will issue notice-and-comment rulemaking within the statutorily defined guidelines.

The following table identifies the UASI allocations for each high-risk urban area based on DHS/FEMA's relative risk methodology pursuant to the *Homeland Security Act of 2002*, as amended.

In its application, each high-risk urban area, through the state, must include a separate IJ for the National Priority Area with a minimum spend requirement (Enhancing Election Security). ***All projects related to the minimum spend for the National Priority Area*** **must** ***be included in the IJ.*** For the National Priority Area with a minimum spend percentage requirement, the funding level in that National Priority Area investment **must equal or exceed** 3%, calculated as a percentage of the urban area's UASI allocation in the table below. The funding levels across all six National Priority Areas **must equal or exceed 30%** of the total UASI allocation.

FY 2024 UASI Allocations

State/Territory	Funded Urban Area	FY 2024 UASI Allocation
Arizona	Phoenix Area	$4,712,190
California	Anaheim/Santa Ana Area	$4,712,190
	Bay Area	$32,754,895
	Los Angeles/Long Beach Area	$59,395,378
	Riverside Area	$3,500,484
	Sacramento Area	$3,410,728
	San Diego Area	$14,760,877
Colorado	Denver Area	$3,500,484
District of Columbia	National Capital Region	$45,201,207
Florida	Jacksonville Area	$1,346,340
	Miami/Fort Lauderdale Area	$13,040,425
	Orlando Area	$3,410,728
	Tampa Area	$3,410,728
Georgia	Atlanta Area	$6,911,212

State/Territory	Funded Urban Area	FY 2024 UASI Allocation
Hawaii	Honolulu Area	$1,346,340
Illinois	Chicago Area	$59,395,378
Indiana	Indianapolis Area	$1,476,785
Louisiana	New Orleans Area	$1,476,785
Maryland	Baltimore Area	$3,410,728
Massachusetts	Boston Area	$14,941,233
Michigan	Detroit Area	$4,712,190
Minnesota	Twin Cities Area	$4,712,190
Missouri	Kansas City Area	$1,476,785
	St. Louis Area	$3,410,728
Nevada	Las Vegas Area	$4,712,190
New Jersey	Jersey City/Newark Area	$16,722,687
New York	New York City Area	$156,131,176
North Carolina	Charlotte Area	$3,410,728
Ohio	Cincinnati Area	$1,476,785
	Cleveland Area	$1,476,785
	Columbus Area	$1,500,000
Oregon	Portland Area	$3,410,728
Pennsylvania	Philadelphia Area	$14,941,233
	Pittsburgh Area	$1,476,785
Tennessee	Nashville Area	$1,346,340
Texas	Austin Area	$1,346,340
	Dallas/Fort Worth/Arlington Area	$14,941,233
	Houston Area	$21,748,776
	San Antonio Area	$3,410,728
Virginia	Hampton Roads Area	$3,410,728
Washington	Seattle Area	$5,609,750
Total		**$553,500,000**

OPSG Allocations

For FY 2024, DHS/FEMA will award OPSG funds based on risk and the anticipated effectiveness of the proposed use of grant funds upon completion of the application review process. The FY 2024 OPSG risk assessment is designed to identify the risk to border security and to assist with the distribution of funds for the grant program. Funding under OPSG is distributed based on the risk to the security of the border and the effectiveness of the proposed projects. Entities eligible for funding are the state, local, and tribal law enforcement agencies that are located along the border of the United States. DHS/FEMA will make final award determinations based upon a review of the anticipated effectiveness of the

state's application as described in Section D, below. ***The THIRA/SPR process is not required for OPSG.***

For the purposes of OPSG, the risk is defined as the potential for an adverse outcome assessed as a function of threats, vulnerabilities, and consequences associated with an incident, event, or occurrence.

Based upon ongoing intelligence analysis and extensive security reviews, DHS/CBP continues to focus the bulk of OPSG funds based upon risk analyses. The risk model used to allocate OPSG funds considers the potential risk that certain threats pose to border security and estimates the relative risk faced by a given area. In evaluating risk, DHS/CBP considers intelligence, situational awareness, criminal trends, and statistical data specific to each of the border sectors, and the potential impacts that these threats pose to the security of the border area. For vulnerability and consequence, DHS/CBP considers the expected impact and consequences of successful border events occurring in specific areas.

Threat and vulnerability are evaluated based on specific operational data from DHS/CBP. Threat components present in each of the sectors are used to determine the overall threat score. These components are terrorism, criminal aliens, drug trafficking organizations, and alien smuggling organizations.

Effectiveness of the proposed investments will be evaluated based on the recipient's investment strategy, budget, collaboration, and past performance.

2. Projected Number of Awards 56

3. Period of Performance: 36 months

Extensions to the period of performance are allowed. For additional information on period of performance extensions, please refer to the Preparedness Grants Manual.

4. Projected Period of Performance Start Date(s): 09/01/2024

5. Projected Period of Performance End Date(s): 08/31/2027

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

The SAA is the only entity eligible to submit HSGP applications to DHS/FEMA, including those applications submitted on behalf of UASI and OPSG applicants. All 56 states and territories, including any state of the United States, the District of Columbia, the

Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, are eligible to apply for SHSP funds. Tribal governments may not apply directly for HSGP funding; however, funding may be available to tribes through the SAA.

2. Applicant Eligibility Criteria

The SAA is the only eligible applicant.

An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not: 1) a ***current employee, personnel, official, staff, or leadership*** of the non-federal entity; and 2) ***duly authorized to apply*** for an award on behalf of the non-federal entity at the time of application.

Further, the **Authorized Organization Representative (AOR)** must be a duly authorized current employee, personnel, official, staff, or leadership of the recipient and ***provide an email address unique to the recipient at the time of application and upon any change in assignment during the period of performance. Consultants or contractors of the recipient are not permitted to be the AOR of the recipient.***

3. Subawards and Beneficiaries

a. *Subaward Allowability*

Subawards are allowed under the HSGP. The recipient (the SAA) is awarded, and then any funds passed through to other state or local entities (subrecipients) are considered subawards.

b. *Subrecipient Eligibility*

Eligible high-risk urban areas for the FY 2024 UASI program have been determined through an analysis of relative risk of terrorism faced by the 100 most populous MSAs in the United States. Subawards will be made by the SAAs to the designated high-risk urban areas.

For 2024, each SAA is **strongly encouraged** to re-evaluate its process for collecting and evaluating subaward applications. FEMA encourages each SAA to minimize the type and quantity of information that it collects as part of the subaward application process, in order to decrease the overall financial and time burden associated with applying for subawards under this grant program. Each SAA should review its subaward application and reduce or eliminate the request for any information that is not needed for legal, financial, or oversight purposes.

In FY 2024, OPSG eligible subrecipients are local units of government at the county level or equivalent level of government and federally recognized tribal governments in states bordering Canada or Mexico and states and territories with international water borders. All applicants must have active ongoing USBP operations coordinated through a CBP sector office to be eligible for OPSG funding.

In FY 2024, OPSG subrecipients eligible to apply for and receive a subaward directly from the SAAs are divided into three Tiers. Tier 1 entities are local units of government at the county level or equivalent and federally recognized tribal governments that are on a physical border in states bordering Canada, states bordering Mexico, and states and territories with international water borders. Tier 2 eligible subrecipients are those not located on the physical border or international water but are contiguous to a Tier 1 county. Tier 3 eligible subrecipients are those not located on the physical border or international water but are contiguous to a Tier 2 eligible subrecipient. The tier structure is only applicable with regard to eligibility. OPSG funding allocations are based on the assessed border security risks as determined by the USBP.

c. ***Other Subaward Information***

Please see the following sections for additional information on requirements or restrictions related to subawards/subrecipients:

- Section D.4 "Requirements: Obtain a Unique Entity Identifier (UEI) and Register in the System for Award Management";
- Section D.10.b "Program-Specific Required Forms and Information";
- Section D.13 "Funding Restrictions and Allowable Costs";
- Section F.2 "Pass-Through Requirements";
- Section F.3.b "Ensuring the Protection of Civil Rights";
- Section F.5 "Monitoring and Oversight";
- Section G.1.f "Environmental Planning and Historic Preservation";
- Section H.1 "Terminations Provisions";
- Section H.2 "Program Evaluation"; and
- Section H.3 "Financial Assistance Programs for Infrastructure."

Additionally, please see the Preparedness Grants Manual for further information on requirements or restrictions related to subawards/subrecipients.

d. ***Beneficiaries or Participants***

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

4. Other Eligibility Criteria/Restrictions

a. ***National Incident Management System (NIMS) Implementation***

Prior to allocation of any federal preparedness awards, recipients must ensure and maintain adoption and implementation of NIMS, including implementation of important operational systems defined under NIMS, such as the Incident Command System (ICS). The list of objectives used for progress and achievement reporting is on FEMA's website at https://www.fema.gov/emergency-managers/nims/implementation-training.

Please see the Preparedness Grants Manual for more information on NIMS.

b. ***Emergency Management Assistance Compact (EMAC) Membership***
In support of the National Preparedness Goal (the Goal), SHSP recipients must belong to, be in, or act as a temporary member of the EMAC, except for the American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to the EMAC at this time. All assets supported in part or entirely with FY 2024 HSGP funding must be readily deployable and NIMS-typed, when possible, to support emergency or disaster operations per existing EMAC agreements. In addition, funding may be used for the sustainment of core capabilities that, while they may not be physically deployable, support national response capabilities, such as Geographic/Geospatial Information Systems, interoperable communications systems, capabilities as defined under the Mitigation Mission Area of the Goal, and fusion centers.

c. ***Law Enforcement Terrorism Prevention Activities (LETPA)***
Per section 2006 of the Homeland Security Act of 2002, as amended (6 U.S.C. § 607), DHS/FEMA is required to ensure that at least 25% of grant funding appropriated for grants awarded under HSGP's authorizing statute are used for LETPAs. ***For FY 2024, DHS/FEMA is requiring that at least 35% of grant funding appropriated under HSGP is used for LETPA***. DHS/FEMA meets this requirement, in part, by requiring all recipients allocate at least 35% of the combined HSGP funds allocated under SHSP and UASI towards LETPAs, as defined in 6 U.S.C. § 607. The LETPA allocation can be from SHSP, UASI, or both. The 35% LETPA allocation may be met by funding projects in any combination of the six National Priority Areas identified above and any other investments. The 35% LETPA allocation requirement is in addition to the 80% pass-through requirement to local units of government and tribes, referenced below. Information Bulletin (IB) 485 includes the most up-to-date information on project selection considerations and allowable activities for LETPA investments and compliments IB 473. Both IBs are applicable to the FY 2024 HSGP NOFO. More information on allowable investments can also be found in the Allowable Costs Matrix section below.

The National Prevention Framework describes those activities that should be executed upon the discovery of intelligence or information regarding an imminent threat to the homeland, to thwart an initial or follow-on terrorist attack and provides guidance to ensure the Nation is prepared to identify, prevent, avoid, or stop a threatened or actual act of terrorism. Activities outlined in the National Prevention Framework are eligible for use as LETPA-focused funds. Also, where capabilities are shared with the protection mission area, the National Protection Framework activities are also eligible. All other terrorism prevention activities proposed for funding under LETPA must be approved by the FEMA Administrator.

In support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism and other catastrophic events, **operational overtime costs are allowable** for increased protective security measures at critical infrastructure sites or other high-risk locations and to enhance public safety during mass gatherings and

high-profile events. More information about operational overtime costs can be found in Section D.13 "Funding Restrictions and Allowable Costs" below.

5. Cost Share or Match

There is no cost share or match requirements for the FY 2024 HSGP.

D. Application and Submission Information

1. Key Dates and Times

a. ***Application Start Date:*** **04/16/2024**

b. ***Application Submission Deadline:*** **06/24/2024 at 5 p.m. ET**

All applications **must** be received by the established deadline.

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 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. 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 the following: 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 Preparedness Officer 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, Monday through Friday, 9:00 AM – 5:00 PM ET.

c. ***Anticipated Funding Selection Date:*** No later than August 23, 2024

d. ***Anticipated Award Date:*** No later than September 30, 2024

e. ***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/.

4. **Requirements: Obtain a Unique Entity Identifier (UEI) and Register in the System for Award Management** (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 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 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(c)(2)(iii), if an applicant is experiencing exigent circumstances that prevents it from obtaining an 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 an 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, and an active SAM registration 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

   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 FEMA GO. 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 an 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.

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 on the date applications are due. 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*

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.

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**

b. *Program-Specific Required Forms and Information*

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

- Investment Justification (SHSP and UASI)
- Concept of Operations (OPSG)
- Operations Orders (OPSG)
- Detailed Budgets

I. IJ DEVELOPMENT: SHSP AND UASI

As part of the FY 2024 HSGP application process for SHSP and UASI funds, applicants must develop formal IJs that address the proposed investments. Failure to fulfill all of the terms contained in this section will be considered by DHS/FEMA in its evaluation of the effectiveness of the IJs submitted to meet the minimum percent spend requirement for the National Priority Areas. Failure to sufficiently align projects to the National Priority Areas and meet the minimum percent spend requirement will result in funds being placed on hold until those issues are addressed.

FY 2024 SHSP and UASI applications must include one (1) IJ and at least one (1) respective project for the one National Priority Area with a minimum spend requirement (Enhancing Election Security) identified in this NOFO. This IJ must also meet or exceed the minimum percent spend requirement based on the

applicant's SHSP and UASI allocation stated in this NOFO. ***All projects associated with the minimum spend of a National Priority Area* must *be submitted in the same IJ.*** SAAs may submit complete project-level information at the time of application but are not required to do so at the time of application. However, any SHSP or UASI application that does not include IJs that (1) meet the minimum spend requirement for the Enhancing Election Security priority area and (2) meet the overall 30% spending requirement across the National Priority Areas will have that funding placed on hold (up to the National Priority Area minimum percent and up to 30% of the total SHSP or UASI allocations) until those IJs and project-level details that sufficiently address the National Priority Areas are received and approved by DHS/FEMA.

Each IJ must *demonstrate* how proposed investments:

i. Support terrorism preparedness; and
ii. Support building capability and/or closing capability gaps or sustaining capabilities identified in the community's THIRA/SPR process.

Each IJ must *explain* how the proposed investments will support the applicant's efforts to:

i. Prevent a threatened or an actual act of terrorism;
ii. Prepare for all hazards and threats, while explaining the nexus to terrorism preparedness;
iii. Protect citizens, residents, visitors, and assets against the greatest threats and hazards, relating to acts of terrorism; and/or
iv. Respond quickly and equitably to save lives, protect property and the environment, and meet basic human needs in the aftermath of an act of terrorism or other catastrophic incidents.

If not included in the application, SHSP and UASI recipients must submit complete project-level information for each SHSP and UASI IJ as part of the Biannual Strategic Implementation Report (BSIR) due by January 30, 2025. This includes IJs for the National Priority Areas.

DHS/FEMA will evaluate the effectiveness of the projects submitted in support of the National Priority Areas, either at the time of application or as part of the December 2024 BSIR due January 30, 2025. DHS/FEMA will not reduce FY 2024 HSGP awards based on the effectiveness review but will work with recipients to ensure compliance with the National Priority Area requirements based on the results of the effectiveness review. Recipients and subrecipients will not be permitted to expend funding under the National Priority Areas until the effectiveness of the proposed projects has been reviewed and confirmed by FEMA.

II. Development of Investments and Projects: SHSP and UASI

i. Applicants must propose at least two (2) and may include up to 12 investments.
ii. Within each investment, applicants must propose at least one project to describe the activities they plan to implement with SHSP and UASI funds. There is no limit to the number of projects that may be submitted.
iii. Required National Priority Area IJs must include the name of the priority in the investment name for easy identification.
iv. All requested funding must be associated with specific projects. For each project, several pieces of information must be provided to submit the project for consideration in the application, including:
    - Project name;
    - Project description;
    - Subrecipient name, if applicable;
    - Recipient type (e.g., state or local);
    - Project location (zip code of the primary location of the project);
    - Primary core capability the project supports;
    - Whether the project activities are shareable and deployable; and
    - Which National Priority Area (if any) the project supports.
v. Projects should describe how the proposed investment supports building capability and/or closing capability gaps or sustaining capabilities identified in the THIRA/SPR process.
vi. FEMA encourages states to use any DHS provided assessments, such as those performed by DHS's Protective Security Advisors and Cybersecurity Advisors, when developing their IJs.

III. National Priority Area Investments: SHSP and UASI

States are encouraged to review the Strategic Framework for Countering Terrorism and Targeted Violence when developing investments.

Soft Targets/Crowded Places (no minimum percent)

Soft targets and crowded places are increasingly appealing to terrorists and other violent extremist actors because of their relative accessibility and the large number of potential targets. This challenge is complicated by the prevalent use of simple tactics and less sophisticated attacks. Segments of our society are inherently open to the general public, and by nature of their purpose do not incorporate strict security measures. Given the increased emphasis by terrorists and other violent extremist actors to leverage less sophisticated methods to inflict harm in public areas, it is vital that the public and private sectors collaborate to enhance security of locations such as transportation centers, parks, restaurants, shopping centers, special event venues, polling places, and similar facilities. Additionally, it is important that personnel responding to incidents at these locations are trained on key operational systems, such as ICS, to ensure proper

command, control, and coordination of on-scene incident management.

The malicious use of unmanned aircraft systems poses a threat to the safety and security of the American people, communities, and institutions. Technologies to detect or mitigate unmanned aircraft systems are an allowable use under the HSGP in accordance with the Domestic Counter-Unmanned Aircraft Systems (UAS) National Action Plan. Recipients should ensure that, prior to the testing, acquisition, installation, or use of UAS detection and/or mitigation systems, they seek the advice of counsel experienced with both federal and state criminal, surveillance, and communications laws which may apply to the use of such technologies.

While not required, applicants are encouraged to submit an investment related to protecting soft targets/crowded places. The proposed investment will be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments. States are encouraged to engage DHS' Protective Security Advisors' security assessments of soft targets to ensure that recommendations from those assessments are taken into consideration when allocating grant funding.

Additional resources and information regarding securing soft targets and crowded places are available through the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology.

Information and Intelligence Sharing (no minimum percent)
Effective homeland security operations rely on access to, analysis of, and the timely sharing of open source, unclassified, and classified information, suspicious activity reports, tips/leads, and actionable intelligence on indicators and behaviors to accurately identify, assess, and mitigate a wide array of threats against the United States, including terrorism, threats to life, targeted violence, and other threats within the DHS mission space. Accordingly, DHS works diligently to enhance intelligence collection, integration, analysis, and information sharing capabilities to ensure partners, stakeholders, and senior leaders receive actionable intelligence and information necessary to inform their decisions and operations. A critical and statutorily charged mission of DHS is to deliver intelligence and information to federal, state, local, tribal, and territorial governments and private sector partners. Cooperation and information sharing among state, local, tribal, territorial, and federal partners across all areas of the homeland security enterprise, including counterterrorism, while upholding privacy, civil rights, and civil liberties protections, is critical to homeland security operations and the prevention of, preparation for, protection against, and response to acts of terrorism, and other threats to life and criminal acts of targeted violence. Counterterrorism includes both international and domestic terrorism, cybersecurity, border security, transnational organized crime, immigration enforcement, economic security, and other areas.

While there is no minimum spend for this National Priority Area, applicants are required to include at least one dedicated fusion center project under this priority area. Additional instructions on development of the fusion center project can be found below. Applicants must justify persuasively how they will contribute to the information sharing and collaboration purposes of the investment and a culture of national preparedness. The proposed investment will be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments.

Additional resources and information regarding collaboration and information sharing are available through the Department's Office of Intelligence and Analysis.

Domestic Violent Extremism (no minimum percent)
As stated in the Homeland Threat Assessment 2024, terrorism, including domestic violent extremism, remains a top threat to the Homeland. Domestic violent extremists capitalize on social and political tensions, which have resulted in an elevated threat environment. They utilize social media platforms and other technologies to spread violent extremist ideologies that encourage violence and influence action within the United States.

While not required, applicants are encouraged to submit an investment related to combatting the rise, influence, and spread of domestic violent extremism. Investments under this priority may include the development, implementation, and execution of prevention-focused program and initiatives, such as threat assessment and management programs to identify, evaluate, and analyze indicators and behaviors indicative of terrorism and targeted violence. The investment will be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments.

Additional resources and information regarding domestic violent extremism are available through Center for Prevention Programs and Partnerships | Homeland Security (dhs.gov).

Cybersecurity (no minimum percent)
Today's world is more interconnected than ever before, but with increased connectivity comes increased risk of our adversaries, including terrorists, exploiting cyber vulnerabilities and weaknesses to disrupt our way of life. While not required, applicants are encouraged to submit an investment related to their ongoing or near-term high priority cybersecurity projects. The investment will be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments.

Cybersecurity investments must support the security and functioning of critical infrastructure and core capabilities as they relate to preventing, preparing for, protecting against, or responding to acts of terrorism. Recipients of FY 2024 HSGP grant awards who do not accept the funding allocated to them through the

FY 2024 State and Local Cybersecurity Grant Program (SLCGP) will be required to complete the 2024 Nationwide Cybersecurity Review (NCSR), enabling agencies to benchmark and measure progress of improving their cybersecurity posture. Completion of the NCSR is optional for all other recipients of FY 2024 HSGP funding. The Chief Information Officer (CIO), Chief Information Security Officer (CISO), or equivalent for each recipient should complete the NCSR. If there is no CIO or CISO, the most senior cybersecurity professional should complete the assessment. The NCSR is available at no cost to the user and takes approximately 2-3 hours to complete. The 2024 NCSR is estimated to be open from October 2024 through February 2025.

The NCSR is an annual requirement for recipients of SLCGP grant awards (and for those HSGP recipients who do not accept their allocated SLCGP funding) and is taken once for each fiscal year award.

Additional resources and information regarding cybersecurity and cybersecurity performance goals are available through the Cybersecurity and Infrastructure Security Agency, Cross-Sector Cybersecurity Performance Goals | CISA, and the National Institute of Standards and Technology.

Community Preparedness and Resilience (no minimum percent)
Community organizations are the backbones of American civic life, both during "blue skies" and in the aftermath of terrorist attacks. Community organizations, such as homeless shelters, food banks, public libraries, faith-based institutions, and nonprofit medical providers must have the capabilities to withstand acts of terrorism and provide essential services, especially to members of underserved communities, in the aftermath of an attack. In addition, individual citizens and volunteer responders, such as Community Emergency Response Teams, are often the first on the scene after a terrorist attack. The ability of these volunteers to provide assistance to their fellow citizens prior to the arrival of professional first responders is paramount to a community's resilience. According to FEMA's 2023 National Household Survey, only 57% of adults have taken at least three preparedness actions to bolster individual and household resilience. . In addition, the COVID-19 pandemic has placed a significant burden on community-based organizations such as homeless shelters, food banks, public libraries, faith-based institutions, and nonprofit medical providers to continue to provide key services during and after disasters, including acts of terrorism. This National Priority Area will bolster community preparedness and resilience by investing in local, community-driven capabilities.

Additionally, equity in emergency management requires proactively prioritizing actions that reinforce cultural competency, accessibility, and inclusion, as well as reflect the historical context of specific groups of people. To that end, states, territories, and high-risk urban areas are strongly encouraged to explore how SHSP- and UASI-funded activities can address the needs of underserved, at-risk communities to help ensure consistent and systematic, fair, just, and impartial

treatment of all individuals before, during, and after a disaster, consistent with applicable law.

The focus on equity and investing in strategies that meet the needs of underserved communities will strengthen the whole of community system of emergency management. Substantial and ongoing prioritization of, and investment in, underserved communities is essential for the entire system to be effective and efficient. Engaging the whole community requires all members of the community to be part of the emergency management team, including representatives of underserved communities, diverse community members, social and community service groups and institutions, faith-based and disability advocacy groups, academia, professional associations, the private and nonprofit sectors, and government agencies that may not traditionally have been directly involved in emergency management. The whole community includes children; older adults; individuals with disabilities and others with access and functional needs; those from religious, racial, and ethnically diverse backgrounds; people with limited English proficiency; and owners of animals including household pets and service animals.

While not required, applicants are encouraged to submit an investment related to addressing community preparedness and resilience. The investment will be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments.
Additional resources and information regarding community preparedness and resilience are available through Individuals and Communities | FEMA.gov.

Election Security (3%)
In January 2017, DHS designated the infrastructure used to administer the Nation's elections as critical infrastructure. This designation recognizes that the United States' election infrastructure is of such vital importance to the American way of life that its incapacitation or destruction would have a devastating effect on the country. Additionally, the Homeland Threat Assessment 2024 indicates that electoral processes remain an attractive target for many adversaries.

Securing election infrastructure, ensuring its continued operation in the face of threats and harassment, advancing the safety of election officials, and ensuring an election free from foreign interference are national security priorities. Threats to election systems are constantly evolving, so defending these systems requires constant vigilance, innovation, and adaptation. As such, at least one (1) investment must be in support of the state's and high-risk urban area's efforts to enhance physical election security and/or cyber election security. Additionally, the proposed investment must meet or exceed the FY 2024 national priority percentage for election security and will also be subject to DHS/FEMA's evaluation of the effectiveness of the proposed investments.

The SAA **must** coordinate with the State's Chief Election Official for all projects and matters related to the election security National Priority Area. ***Any activities proposed that could be used to suppress voter registration or turnout will not be approved.***

Additional resources and information regarding election security are available through the Cybersecurity and Infrastructure Security Agency.

IV. Development of Fusion Center Projects: SHSP and UASI

Each applicant must identify a fusion center project that will:

i. Indicate alignment to a designated Fusion Center; and
ii. Provide both a brief narrative description and funding itemization for the proposed project activities that directly support the designated fusion center.

The descriptive narrative and the financial itemization should align improvement or sustainment requests with fusion center activities as they relate to the Fusion Center Performance Measures found in the Preparedness Grants Manual.

Sample Fusion Center Funding Itemization

A sample project description and funding itemization are below. For the itemized projects, clearly identify the anticipated fusion center performance improvement or sustainment as a result of the proposed funding.

The X Fusion enhancement project will fund:

i. *Salaries, benefits, and training for X number of Fusion Center intelligence analysts; and*
ii. *Travel costs associated with fusion center analyst training.*

This project will directly sustain the Center's current capabilities and performance and directly aligns with performance measures 2024.XXX.

We anticipate seeing an improvement in the quality and quantity of analytic production and responses to requests for information as a direct result of the funding of this project.

The funding itemization for a fusion center project should include the amount and percent of each relevant solution area. As an example:

Solution Area and Amount of Proposed Funding		*Percent of Proposed Funding*
Planning:	*$10,000*	*2%*
Organization:	*$200,000*	*48%*
Equipment:	*$200,000*	*48%*
Training:	*$10,000*	*2%*
Exercises:	*$0*	*0%*

Solution Area and Amount of Proposed Funding		*Percent of Proposed Funding*
Total:	*$420,000*	*100%*

V. COMPLETING IJS IN THE FEMA GO: SHSP AND UASI

In the Related Documents section of the Grants.gov posting, applicants can find the IJ template and instructions for collecting the required information for investments and projects. Additionally, applicants should utilize the Project Worksheet located in Grants.gov posting to assemble the information required for each project, which will facilitate the input of that information into FEMA GO.

Applicants must ensure the appropriate National Priority Area "Investment Type" (*Overview Tab – Investment Information Section)* is selected for the corresponding National Priority Area.

VI. DEVELOPMENT OF CONCEPT OF OPERATIONS FOR OPSG

As part of the FY 2024 OPSG application process, each eligible local unit of government at the county or federally recognized tribal government level must develop a strategic plan called a Concept of Operations (CONOP)/Application, which is a formal proposal of action to address a specific situation and forms the basis for Operations Orders, in coordination with state and federal law enforcement agencies, to include, but not limited to CBP/USBP. CONOPs that are developed at the county level should be inclusive of city, county, tribal, and other local law enforcement agencies that are eligible to participate in OPSG operational activities, and the CONOP/Application should describe participating agencies in the Executive Summary.

CONOP/Application details should include the names of the agencies, points of contact, and individual funding requests. All CONOPs/Applications must be developed in collaboration with the local USBP sector office, the SAA, and the local unit of government. Requests for funding in CONOPs/Applications must be based on risks and the operational enforcement support requirements of its corresponding USBP Sector, as well as the national priorities identified below. USBP Sector offices will forward the CONOPs to USBP Headquarters for vetting and coordination. Applicants will forward corresponding OPSG Applications to the SAA for submission to FEMA. USBP Headquarters will reconcile all submitted CONOPs with the OPSG Applications. FEMA will review and evaluate all CONOPs and OPSG Applications and funding will be allocated based on the review and selection criteria identified in this NOFO. OPSG Applicants will be required to clearly articulate and identify how the CONOPs will address the national priority identified below:

Information and Intelligence Sharing and Cooperation

Effective border security operations rely on access to, analysis of, and the timely sharing of open source, unclassified, and classified information, suspicious activity reports, tips/leads, and actionable intelligence on indicators and behaviors

to accurately identify, assess, and mitigate a wide array of threats against the United States, including terrorism, threats to life, targeted violence, and other threats within the DHS mission space. Accordingly, DHS works diligently to enhance intelligence collection, integration, analysis, and information sharing capabilities to ensure partners, stakeholders, and senior leaders receive actionable intelligence and information necessary to inform their decisions and operations. One critical, statutorily required mission of DHS is to deliver intelligence and information to federal, state, local, and tribal governments and private sector partners. Cooperation and information sharing among state, federal, and local partners across all areas of the homeland security enterprise, including both international and domestic terrorism, cybersecurity, transnational organized crime, economic security, border security, immigration enforcement, and other areas, while upholding privacy, civil rights and civil liberties protections, is critical to homeland security operations and the prevention of, preparation for, protection against, and responding to acts of terrorism, and other threats to life and criminal acts of targeted violence.

Given the importance of information sharing and collaboration to effective homeland security solutions, the CONOP must support the recipient's efforts to enhance information sharing and cooperation with DHS and other federal agencies. Applicants must justify persuasively how they will contribute to the information sharing and collaboration purposes of the OPSG program and a culture of national preparedness.

Additional resources and information regarding collaboration and information sharing are available through the Department's Office of Intelligence and Analysis.

VII. Development of Operations Orders for OPSG

Operations Order Template Instructions

To access the OPSG Operations Order Template:

i. Find the Homeland Security Grant Program posting via the search function on Grants.gov;
ii. Select the Related Documents tab on the posting; and
iii. Click on the OPSG Operations Order Template and fill out all sections of the template.

Executive Summary Overview

Operations order executive summary must:

i. Identify the organization name, point of contact, committees, and other structures accountable for implementing OPSG in the jurisdiction (typically this will be a program lead or manager overseeing operations and individuals assigned to that agency); and
ii. Describe how federal and SLTT law enforcement agencies will work together to establish and enhance coordination and collaboration on border security issues.

Budget Requirements Overview
Operations Order Detailed Annual Budget must:

i. Explain how costs and expenses were estimated; and
ii. Provide a narrative justification for costs and expenses. Supporting tables describing cost and expense elements (e.g., equipment, fuel, vehicle maintenance costs) may be included.

Submission Requirements
Operations Orders must meet the following submission requirements:

i. Must be submitted as an Adobe PDF document;
ii. All documents submitted must use the unique identifier created by the OPSG data management system from the original associated operation order; and
iii. Applicable OPSG sector representatives must coordinate with the SAA and OPSG participants to submit an accurate inventory of all specified OPSG purchased property with each Operations Order/FRAGO.
iv. Due to the competitive nature of this program, separate attachments will neither be accepted nor reviewed.

VIII. DETAILED BUDGET

Applicants must provide budget summary worksheets for all funds requested at the time of application. The budget summary worksheets must be complete, reasonable, and cost-effective in relation to the proposed project and should provide the basis of computation of all project-related costs (including management and administrative costs) and any appropriate narrative. FEMA must be able to thoroughly evaluate the projects being submitted based on the information provided. FEMA must be able to determine how much funding is being passed through to subrecipients for each sub-program (UASI, SHSP, OPSG). Consequently, applicants must provide an appropriate level of detail within the budget summary worksheets to clarify what will be purchased and spent. Sample budget summary worksheets are available on the Grants.gov posting for the HSGP in the Related Documents tab and may be used as a guide to assist applicants in the preparation of budgets and budget narratives.

11. Other Submission Requirements

a. *Fusion Center Investments*

Of the proposed SHSP- and UASI-funded investments, one single project must be in support of a designated fusion center. Recipients must coordinate with the fusion center when developing a fusion center project prior to submission. See additional information on how to develop the fusion center projects below and in the Preparedness Grants Manual.

b. *Emergency Communications Investments*

All emergency communications investments must describe how such activities align with needs identified in their Statewide Communication Interoperability Plan (SCIP). Recipients must coordinate with their Statewide Interoperability Coordinator (SWIC)

and/or Statewide Interoperability Governing Body (SIGB) when developing an emergency communications investment prior to submission to ensure the project supports the statewide strategy to improve emergency communications and is compatible and interoperable with surrounding systems. Effective project alignment will require advance coordination with the SWIC and consultation with governing bodies such as the SIGB or Statewide Interoperability Executive Committee, as they serve as the primary steering group for the statewide interoperability strategy. Additionally, recipients should consult subject matter experts serving on governance bodies, such as broadband experts, chief information officers, representatives from utilities, or legal and financial experts, when developing proposals. The investment name must include the words "emergency communications" to easily identify any emergency communications investments.

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)

13. Funding Restrictions and Allowable Costs

All costs charged to awards covered by this NOFO must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. Part 200, unless otherwise indicated in the NOFO, the terms and conditions of the award, or the Preparedness Grants Manual. This includes, among other requirements, that costs must be incurred, and products and services must be delivered, within the period of performance of the award. *See* 2 C.F.R. § 200.403(h) (referring to budget periods, which for FEMA awards under this program is the same as the period of performance).

Federal funds made available through this award may be used for the purpose set forth in this NOFO, the Preparedness Grants Manual, and the terms and conditions of the award and must be consistent with the statutory authority for the award. Award funds may not be used for matching funds for any other federal awards, 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. See the Preparedness Grants Manual for more information on funding restrictions and allowable costs.

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

See the Preparedness Grants Manual for information on prohibitions on expending FEMA award funds for covered telecommunications equipment or services.

b. *Pre-Award Costs*

Pre-award costs are allowable only with the prior written approval of DHS/FEMA and as included in the award agreement. To request pre-award costs, a written request must be included with the application, signed by the AOR of the entity. The letter

must outline what the pre-award costs are for, including a detailed budget break-out of pre-award costs from the post-award costs, and a justification for approval.

c. ***Management and Administration (M&A) Costs***

M&A costs are allowed by the 2024 DHS Appropriations Act. Recipients may use a maximum of up to 5% of HSGP funds awarded for their M&A, and any funds retained are to be used solely for M&A purposes associated with the HSGP award. Subrecipients may also use a maximum of up to 5% of the funding passed through by the state solely for M&A purposes associated with the HSGP award. M&A activities are those directly relating to the management and administration of HSGP funds, such as financial management and monitoring. M&A expenses must be based on actual expenses or known contractual costs. M&A requests that are simple percentages of the award, without supporting justification, will not be allowed or considered for reimbursement.

M&A costs are not operational costs but are necessary costs incurred in direct support of the federal award or as a consequence of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct support of the program. As such, M&A costs can be itemized in financial reports. Other M&A cost examples include preparing and submitting required programmatic and financial reports, establishing and/or maintaining equipment inventory, documenting operational and equipment expenditures for financial accounting purposes, responding to official informational requests from state and federal oversight authorities, including completing the Civil Rights Evaluation Tool as required by DHS, and grant performance measurement or evaluation activities.

Recipients or subrecipients may apply or credit M&A funding toward the recipient's requirement to allocate funding toward the National Priority Areas. For example, if a recipient spends $5,000 to manage or administer its funding dedicated toward its election security investment, the recipient may credit that funding toward its requirement to allocate at least 3% of its award to the enhancing election security National Priority Area.

A state's HSGP funds for M&A calculation purposes includes the total of its SHSP, UASI, and OPSG awards. While the SAA may retain up to 5% of this total for M&A, the state must still ensure that all subrecipient award amounts meet the mandatory minimum pass-through requirements that are applicable to each HSGP program. To meet this requirement, the percentage of SHSP and UASI funds passed through to local or tribal jurisdictions must be based on the state's total HSGP award prior to withholding any M&A.

Specific for OPSG, subrecipients and friendly forces may retain funding for M&A purposes; however, the total amount retained cannot exceed 5% of the subrecipient's subaward. Friendly forces are local law enforcement entities that are subordinate subrecipients under OPSG. In other words, friendly forces are entities that receive a

subaward from a subrecipient under the OPSG program. Friendly forces must comply with all requirements of subrecipients under 2 C.F.R. Part 200.

In retaining these funds, states may retain a maximum of 2.5% of the OPSG allocation, which must be withheld from the pass-through to each subrecipient county or tribe in an equal percentage. The SAA may also retain additional funding from its SHSP award to manage and administer the OPSG award, but that additional amount is also capped at an amount equal to 2.5% of the OPSG award. Examples applying this principle:

SAA 1:
Total award: $6,000,000
SHSP: $1,000,000 OPSG: $2,500,000 UASI: $2,500,000
M&A Maximum: $300,000 (5% of $6,000,000)
Maximum M&A for SHSP = $50,000
Maximum M&A for OPSG = $125,000. Of that amount, $62,500 (2.5%) may be retained from the OPSG allocation, and the other $62,500 would come from the SHSP allocation. Any amount used to manage and administer OPSG that is charged to SHSP may be above and beyond the $50,000 available to manage the SHSP allocation.
Maximum M&A for UASI = $125,000

SAA 2:
Total award: $4,500,000
SHSP: $3,500,000 OPSG: $1,000,000
M&A Maximum: $225,000 (5% of $4,500,000)
Maximum M&A for SHSP = $175,000
Maximum M&A for OPSG = $50,000. Of that amount, $25,000 (2.5%) may be retained from the OPSG allocation, and the other $25,000 would come from the SHSP allocation. Any amount used to manage and administer OPSG that is charged to SHSP may be above and beyond the $175,000 available to manage the SHSP allocation.

M&A charged to OPSG, SHSP, or UASI funding must be used to support that particular program.

d. ***Indirect Facilities & Administrative (F&A) Costs***
Indirect (F&A) costs (IDC) mean those costs incurred for a common or joint purpose benefitting more than one cost objective and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. IDC are allowable by the recipient [and subrecipients] as described in 2 C.F.R. Part 200, including 2 C.F.R. § 200.414. Applicants with a current negotiated IDC rate agreement who desire to charge indirect costs to a federal award must provide a copy of their IDC rate agreement with their applications. Not all applicants are required to have a current negotiated IDC rate agreement. Applicants that are not required to have a negotiated IDC rate agreement but are required to develop an IDC

rate proposal must provide a copy of their proposal with their applications. Applicants who do not have a current negotiated IDC rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to FEMA for further instructions. Applicants who wish to use a cost allocation plan in lieu of an IDC rate proposal must reach out to the FEMA Point of Contact for further instructions. As it relates to the IDC for subrecipients, a recipient must follow the requirements of 2 C.F.R. §§ 200.332 and 200.414 in approving the IDC rate for subawards. For information on procedures for establishing indirect cost rates, see the Preparedness Grants Manual.

e. ***Funds Transfer Restrictions***

The recipient is prohibited from transferring funds between programs (includes SHSP, UASI, and OPSG). Recipients can submit an investment/project where funds come from multiple funding sources (e.g., SHSP and UASI), however, recipients are not allowed to divert funding from one program to another due to the risk-based funding allocations, which were made at the discretion of DHS/FEMA.

f. ***Evaluation Costs***

Evaluation costs are allowable. See Section H.2 "Program Evaluation" for more details.

g. ***Allowable Cost Matrix for SHSP, UASI, and OPSG***

The following matrix lists allowable cost activities across cost categories described above and below. The Preparedness Grants Manual includes additional information on allowable costs. Recipients and subrecipients must follow all applicable requirements in 2 C.F.R. Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. HSGP funds may be used to cover the costs for evaluating the impact of these grants on the state or urban area's core capabilities and capability gaps. This list is not exhaustive, therefore, if there are any questions regarding allowable costs, please contact the appropriate FEMA Headquarters (HQ) Preparedness Officer.

Allowable Program Activities	SHSP	UASI	OPSG
Allowable Planning Costs			
Developing hazard/threat-specific annexes	Y	Y	N
Developing and implementing homeland security support programs and adopting ongoing DHS/FEMA national initiatives	Y	Y	N
Developing related terrorism and other catastrophic event prevention activities	Y	Y	N
Developing and enhancing plans and protocols	Y	Y	N
Developing or conducting assessments	Y	Y	N
Hiring of full- or part-time staff or contract/consultants to assist with planning, engagement, and volunteer management activities	Y	Y	N
Materials required to conduct planning, engagement, and volunteer management activities	Y	Y	N
Travel/per diem related to planning, engagement, and volunteer management activities	Y	Y	Y
Overtime and backfill costs (in accordance with operational Cost Guidance)	Y	Y	Y
Issuance of Western Hemisphere Travel Initiative-compliant Tribal identification cards	Y	N	N
Activities to achieve planning inclusive of people with disabilities and others with access and functional needs and limited English proficiency.	Y	Y	N

Allowable Program Activities	SHSP	UASI	OPSG
Coordination with Citizen Corps Councils for public information/education and development of volunteer programs	Y	Y	N
Coordination and material support to Citizen Corps Councils and local firehouses for the establishment, training and maintenance of CERTs	Y	Y	N
Update governance structures and processes and plans for emergency communications	Y	Y	N
Development, and review and revision of continuity of operations plans	Y	Y	N
Development, and review and revision of the THIRA/SPR and continuity of operations plans	Y	Y	N
Developing or conducting equity assessments to address planning and preparedness disparities for historically underserved communities	Y	Y	N
Allowable Organizational Activities **Note:** Personnel hiring, overtime, and backfill expenses are permitted under this grant only to the extent that such expenses are for the allowable activities within the scope of the grant.			
Program management	Y	Y	N
Development of whole community partnerships	Y	Y	N
Structures and mechanisms for information sharing between the public and private sector	Y	Y	N
Implementing models, programs, and workforce enhancement initiatives	Y	Y	N
Tools, resources, and activities that facilitate shared situational awareness between the public and private sectors	Y	Y	N
Operational support	Y	Y	N
Utilization of standardized resource management concepts	Y	Y	N
Responding to an increase in the threat level under the National Terrorism Advisory System (NTAS), or needs in resulting from a National Special Security Event	Y	Y	N
Reimbursement for select operational expenses associated with increased security measures at critical infrastructure sites incurred (up to 50% of the allocation)	Y	Y	Y
Overtime for information, investigative, and intelligence sharing activities (up to 50% of the allocation)	Y	Y	Y
Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation).	Y	Y	Y
Hiring or maintaining staff positions/contractors/consultants at SLTT levels to deliver community preparedness training, resources and material to schools, community-based organizations, faith-based institutions and local businesses.	Y	Y	N
Hiring or maintaining staff positions/contractors/consultants to create, support and maintain CERT or Teen CERT	Y	Y	N
Cost of migrating online services to the ".gov" domain	Y	Y	N
Allowable Equipment Categories			
Personal Protective Equipment	Y	Y	Y
Explosive Device Mitigation and Remediation Equipment	Y	Y	N
CBRNE Operational Search and Rescue Equipment	Y	Y	N
Information Technology	Y	Y	Y
Cybersecurity Enhancement Equipment	Y	Y	N
Interoperable Communications Equipment	Y	Y	Y
Detection	Y	Y	Y
Decontamination	Y	Y	N
Medical countermeasures	Y	Y	Y
Power (e.g., generators, batteries, power cells)	Y	Y	Y
CBRNE Reference Materials	Y	Y	N
CBRNE Incident Response Vehicles	Y	Y	N
Terrorism Incident Prevention Equipment	Y	Y	Y
Physical Security Enhancement Equipment	Y	Y	Y
Inspection and Screening Systems	Y	Y	Y

Allowable Program Activities	SHSP	UASI	OPSG
Animal Care and Foreign Animal Disease	Y	Y	N
CBRNE Prevention and Response Watercraft	Y	Y	N
CBRNE Prevention and Response Unmanned Aircraft	Y	Y	N
CBRNE Aviation Equipment	Y	Y	N
CBRNE Logistical Support Equipment	Y	Y	N
Intervention Equipment (e.g., tactical entry, crime scene processing)	Y	Y	Y
Critical emergency supplies	Y	Y	N
General use vehicle acquisition, lease, and rental	N	N	Y
Specialized vehicle acquisition, lease, and rental	Y	Y	Y
Other Authorized Equipment	Y	Y	Y
Allowable Training Costs			
Overtime and backfill for emergency preparedness and response personnel attending DHS/FEMA-sponsored and approved training classes	Y	Y	N
Overtime and backfill expenses for part-time and volunteer emergency response personnel participating in DHS/FEMA training	Y	Y	N
Training workshops and conferences	Y	Y	Y
Activities to achieve training inclusive of people with disabilities and others with access and functional needs and limited English proficiency	Y	Y	N
Full- or part-time staff or contractors/consultants	Y	Y	Y
Travel	Y	Y	Y
Supplies	Y	Y	N
Instructor certification/re-certification	Y	Y	N
Coordination with Citizen Corps Councils and CERT in conducting training exercises	Y	Y	N
Preparedness training for community preparedness initiatives and programs	Y	Y	N
Interoperable communications training	Y	Y	N
Activities to achieve planning inclusive of people with limited English proficiency	Y	Y	N
Immigration enforcement training	Y	Y	Y
Allowable Exercise Related Costs			
Design, Develop, Conduct, and Evaluate an Exercise	Y	Y	N
Full- or part-time staff or contractors/consultants	Y	Y	N
Overtime and backfill costs, including expenses for part-time and volunteer emergency response personnel participating in DHS/FEMA exercises	Y	Y	N
Implementation of HSEEP	Y	Y	N
Activities to achieve exercises inclusive of people with disabilities and others with access and functional needs	Y	Y	N
Travel	Y	Y	N
Supplies	Y	Y	N
Interoperable communications exercises	Y	Y	N
Activities to achieve planning inclusive of people with limited English proficiency	Y	Y	N
Allowable M&A Costs			
Hiring of full- or part-time staff or contractors/consultants to assist with the management of the respective grant program, application requirements, and compliance with reporting and data collection requirements	Y	Y	Y
Development of operating plans for information collection and processing necessary to respond to DHS/FEMA data calls	Y	Y	Y
Overtime and backfill costs	Y	Y	Y
Travel	Y	Y	Y
Meeting related expenses	Y	Y	Y
Authorized office equipment	Y	Y	Y
Recurring expenses such as those associated with cell phones and faxes during the period of performance of the grant program	Y	Y	N

Allowable Program Activities	SHSP	UASI	OPSG
Leasing or renting of space for newly hired personnel during the period of performance of the grant program	Y	Y	N
Completing the Civil Rights Evaluation Tool	Y	Y	Y
Conducting activities related to evaluating project effectiveness for HSGP-funded projects	Y	Y	Y
LETPA Costs			
Integration and interoperability of systems and data, such as CAD and RMS, to facilitate the collection,	Y	Y	N
Maturation, enhancement, and sustainment of designated state and major Urban Area fusion centers, including information sharing and analysis, threat recognition, terrorist interdiction, and intelligence analyst training and salaries (subject to certain conditions)	Y	Y	N
Regional counterterrorism training programs for small, medium, and large jurisdictions to exchange information and discuss the current threat environment, lessons learned, and best practices to help prevent, protect against, and mitigate acts of terrorism	Y	Y	N
Coordination of regional full-scale training exercises (federal, state, and local law enforcement participation) focused on terrorism-related events	Y	Y	N
Law enforcement Chemical, Biological, Radiological, Nuclear, and high yield Explosives detection and response capabilities, such as bomb detection/disposal capability development, sustainment, or enhancement, including canine teams, robotics platforms, and x-ray technology	Y	Y	N
Coordination between fusion centers and other operational analytic, and investigative efforts	Y	Y	N
Implementation, maintenance, and sustainment of the Nationwide Suspicious Activity Reporting Initiative	Y	Y	N
Implementation of the "If You See Something, Say Something®" campaign	Y	Y	N
Increase physical security, through law enforcement personnel and other protective measures, by implementing preventive and protective measures at critical infrastructure locations	Y	Y	N

h. ***SHSP and UASI Other Direct Costs***

Recipients must comply with all the requirements in 2 C.F.R. Part 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*). In general, recipients should consult with their FEMA HQ Preparedness Officer prior to making any investment that does not clearly meet the allowable expense criteria. Funding guidelines established within this section support four of the five mission areas—Prevention, Protection, Mitigation, and Response—and associated core capabilities within the Goal. While Recovery is part of the Goal, it is not explicitly part of the HSGP. Allowable investments made in support of the national priorities, as well as other capability-enhancing projects must have a nexus to terrorism preparedness and fall into the categories of planning, organization, exercises, training, or equipment, aligned to building capability, closing capability gaps, and/or sustaining capabilities, as defined by CPG 201: THIRA/SPR Guide—3rd Edition (Comprehensive Preparedness Guide (CPG) 201, 3rd Edition (fema.gov)). Recipients are encouraged to use grant funds for evaluating grant-funded project effectiveness and return on investment. FEMA encourages recipients to provide the results of that analysis to FEMA.

i. **PLANNING**

SHSP and UASI funds may be used for a range of emergency preparedness and management planning activities, such as those associated with the development,

review, and revision of the THIRA, SPR, continuity plans, and other planning activities that support the Goal and placing an emphasis on updating and maintaining a current Emergency Operations Plan (EOP) that conforms to the guidelines outlined in Comprehensive Preparedness Guide (CPG) 101 v3. Planning efforts can also include conducting risk and resilience assessments on increasingly connected cyber and physical systems, on which security depends, using the Infrastructure Resilience Planning Framework and related Cybersecurity and Infrastructure Security Agency (CISA) resources.

Additionally, SHSP and UASI funds may be used for planning efforts related to state court cybersecurity, 911 call capabilities, alert and warning capabilities, and implementation of the REAL ID Act (Pub. L. No. 109-13).

II. ORGANIZATION

Organization costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

States and high-risk urban areas must justify proposed expenditures of SHSP or UASI funds to support organization activities within their Investment Justification (IJ) submission. Organizational activities include:

i. Program management;
ii. Development of whole community partnerships, through groups such as Citizen Corp Councils;
iii. Structures and mechanisms for information sharing between the public and private sector;
iv. Implementing models, programs, and workforce enhancement initiatives to address ideologically inspired radicalization to violence in the homeland;
v. Tools, resources, and activities that facilitate shared situational awareness between the public and private sectors;
vi. Operational Support;
vii. Utilization of standardized resource management concepts such as typing, inventorying, organizing, and tracking to facilitate the dispatch, deployment, and recovery of resources before, during, and after an incident;
viii. Responding to an increase in the threat level under the National Terrorism Advisory System (NTAS) or needs resulting from a National Special Security Event;
ix. Paying salaries and benefits for personnel to serve as qualified Intelligence Analysts. Per the *Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act (PRICE Act)*, Pub. L. No. 110-412, § 2, codified in relevant part, as amended, at 6 U.S.C. § 609(a), SHSP and UASI funds may be used to hire new staff and/or contractor positions to serve as intelligence analysts to enable information/intelligence sharing capabilities, as well as support existing intelligence analysts previously covered by SHSP

or UASI funding. *See* 6 U.S.C. § 609(a). To be hired as an intelligence analyst, staff and/or contractor personnel must meet at least one of the following criteria:

- Complete training to ensure baseline proficiency in intelligence analysis and production within six months of being hired; and/or,
- Previously served as an intelligence analyst for a minimum of two years either in a federal intelligence agency, the military, or state and/or local law enforcement intelligence unit.

x. All fusion center analytical personnel must demonstrate qualifications that meet or exceed competencies identified in the Common Competencies for state, local, and tribal intelligence analysts, which outlines the minimum categories of training needed for intelligence analysts. A certificate of completion of such training must be on file with the State Administrative Agency (SAA) and must be made available to the recipient's respective FEMA HQ Preparedness Officer upon request; and

xi. Migrating online services to the ".gov" internet domain.

All SAAs are allowed to use up to 50% of their SHSP funding, and all high-risk urban areas are allowed to use up to 50% of their UASI funding, for personnel costs per 6 U.S.C. § 609(b)(2)(A). Personnel hiring, overtime, and backfill expenses are permitted under this grant only to the extent that such expenses are for the allowable activities within the scope of the grant. Personnel expenses may include, but are not limited to training and exercise coordinators, program managers and planners, intelligence analysts, and Statewide Interoperability Coordinators (SWICs).

At the request of a recipient, the FEMA Administrator (or their designee) may grant a waiver of this 50% limitation under 6 U.S.C. § 609(b)(2)(B). Requests for waivers to the personnel cap must be submitted by the authorized representative of the SAA to FEMA in writing on official letterhead, with the following information:

i. Documentation explaining why the cap should be waived;
ii. Conditions under which the request is being submitted; and
iii. A budget and method of calculation of personnel costs both in percentages of the grant award and in total dollar amount.

Please see IB 421b, Clarification on the Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008 (Public L. No. 110–412 – the PRICE Act), dated October 30, 2019, for additional information on the waiver request process.

III. EQUIPMENT

Equipment costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

The 21 allowable prevention, protection, mitigation, and response equipment categories for HSGP are listed on the Authorized Equipment List (AEL). Some equipment items require prior approval from FEMA before obligation or purchase of the items. Please reference the grant notes for each equipment item to ensure prior approval is not required or to ensure prior approval is obtained if necessary. Recipients and subrecipients may purchase equipment not listed on the AEL, but **only** if they first seek and obtain **prior approval** from FEMA.

Unless otherwise stated, all equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, recipients will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment. Investments in emergency communications systems and equipment must meet applicable SAFECOM Guidance on Emergency Communications Grants (SAFECOM Guidance) recommendations. Such investments must be coordinated with the SWIC and the State Interoperability Governing Body (SIGB) to ensure interoperability and long-term compatibility. For personal protective equipment (PPE), recipients are encouraged to give procurement preference to domestic manufacturers of PPE or PPE raw materials to the maximum practicable and allowed by law.

Grant funds may be used for the procurement of medical countermeasures. Procurement of medical countermeasures must be conducted in collaboration with state, city, or local health departments that administer federal funds from the Department of Health and Human Services for this purpose and with existing Metropolitan Medical Response System committees where available, to sustain their long-term planning for appropriate, rapid, and local medical countermeasures, including antibiotics and antidotes for nerve agents, cyanide, and other toxins. Procurement must have a sound threat-based justification with an aim to reduce the consequences of mass casualty incidents during the first crucial hours of a response. Prior to procuring pharmaceuticals, recipients must have in place an inventory management plan to avoid large periodic variations in supplies due to coinciding purchase and expiration dates. Recipients are encouraged to enter into rotational procurement agreements with vendors and distributors. Purchases of pharmaceuticals must include a budget for the disposal of expired drugs within each fiscal year's POP for HSGP. The cost of disposal cannot be carried over to another FEMA grant or grant period.

EMS electronic patient care data systems should comply with the most current data standard of the National Emergency Medical Services Information System.

Recipients are reminded that school hardening is an eligible activity under SHSP and UASI. School hardening measures include but are not limited to:

i. Bullet resistant doors and glass;
ii. Hinge-locking mechanisms;

iii. Immediate notification to emergency 911 systems;
iv. Mechanisms that provide real time actionable intelligence directly to law enforcement and first responders;
v. Installation of distraction devices or other countermeasures administered by law enforcement; and
vi. Other measures determined to provide significant improvements to schools' physical security.

Additionally, SHSP and UASI funds may be used for equipment purchases related to state court cybersecurity, 911 call capabilities, alert and warning capabilities, and implementation of the REAL ID Act (Pub. L. No. 109-13).

Small Unmanned Aircraft Systems (sUAS) and critical emergency supply costs are allowable under this program. See the Preparedness Grants Manual for more information.

General Purpose Equipment
HSGP allows expenditures on general purpose equipment if it aligns to and supports one or more core capabilities identified in the Goal and has a nexus to terrorism preparedness. General purpose equipment, like all equipment funded under the HSGP, must be sharable through the EMAC[4] and allowable under 6 U.S.C. § 609, and any other applicable provision of the *Homeland Security Act of 2002*, as amended. Examples of such general-purpose equipment may include:

- Law enforcement/general use vehicles (OPSG only);
- Emergency medical services equipment and vehicles;
- Fire service equipment and vehicles, to include hose, pump accessories, and foam concentrate for specialized chemical/biological/radiological/nuclear/explosive (CBRNE) response;
- Interoperability of data systems, such as computer aided dispatch (CAD) and record management systems (RMS); and
- Office equipment for staff[5] engaged in homeland security program activity.

Controlled Equipment
For decades, the federal government has provided equipment to state, local, and tribal law enforcement agencies (LEAs) through federal grants. Some federal grant programs have assisted LEAs as they carry out their critical missions to keep the American people safe. The equipment acquired by LEAs through these programs includes administrative equipment, such as office furniture and computers. Some federal grant programs also may include military and military-styled equipment, firearms, and tactical vehicles provided by the federal

[4]Except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time.
[5]This applies to all homeland security personnel and is not limited to M&A staff, and costs are to be captured outside the cap on M&A costs.

government, including property covered under 22 C.F.R. Part 121 and 15 C.F.R. Part 774 (collectively, "controlled equipment").

However, not all equipment that is considered controlled equipment is allowable under the HSGP. As noted in Section B of FEMA Policy 207-22-0002, Prohibited or Controlled Equipment Under FEMA Awards, certain equipment is prohibited and is not allowable under HSGP. Grant funds under this program may not be used for the purchase of equipment not approved by DHS/FEMA. For example, the purchase of tracked armored vehicles, camouflage uniforms, weapons, and weapons accessories, including ammunition, is generally not allowed with HSGP funds.[6]

For some controlled equipment that is allowable under the HSGP, additional documentation, justifications, reviews, and approvals are required, including but not limited to proof of policies and procedures to safeguard individuals' privacy, civil rights, and civil liberties. Contact your Preparedness Officer if you have questions concerning HSGP requirements for controlled equipment requests.

Grant funds under this program must comply with the aforementioned FEMA Policy 207-22-0002, Prohibited or Controlled Equipment Under FEMA Awards. As per this FEMA Policy, excepted or controlled equipment must remain in the possession of the original FEMA grant recipient and may not be transferred. The use of controlled equipment under a Memorandum of Understanding or other regional sharing agreement (see Section D.6 of this FEMA Policy) does *not* constitute a transfer of controlled equipment.

DHS/FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on controlled equipment expenditures while continuing to support these investments when there is a justifiable need. Further, DHS/FEMA will continue to maintain an awareness of the evolving policy developments related to controlled equipment expenditures and keep grant recipients up to date on future developments.

Construction and Renovation

Construction and renovation costs to achieve capability targets related to preventing, preparing for, protecting against, or responding to acts of terrorism are allowed under this program. For construction and renovation costs to be allowed, they must be specifically approved by DHS/FEMA in writing prior to the use of any program funds. Limits on the total amount of grant funding that may be used

[6] FEMA issued Policy 207-22-0002 in response to Executive Order (EO) 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety, which President Joseph R. Biden issued on May 25, 2022. EO 14074 directs the DHS to prohibit the use of grant funding to purchase certain types of military equipment by state, local, tribal, and territorial law enforcement agencies and to comply with and implement the recommendations stemming from EO 13688, which established prohibited equipment and controlled equipment lists.

for construction or renovation may apply. Additionally, recipients are required to submit SF-424C and SF-424D.

All proposed construction and renovation activities must undergo an Environmental Planning and Historic Preservation (EHP) review, including approval of the review from FEMA, prior to undertaking any action related to the project. Failure of a grant recipient to meet these requirements may jeopardize Federal funding. Please see the Preparedness Grants Manual for more information.

IV. Training and Exercises

Training and exercise costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual. Recipients are encouraged to consider tuition-free courses offered by FEMA first, before investing in training. For more information and a catalog of courses please refer to the National Preparedness Course Catalog at NTED.

Allowable training-related costs under HSGP include the establishment, support, conduct, and attendance of training specifically identified under the SHSP and UASI program and/or in conjunction with emergency preparedness training by other federal agencies (e.g., HHS and Department of Transportation [DOT]). Training conducted using HSGP funds should address a performance gap identified through an Integrated Preparedness Plan (IPP) or other assessments (e.g., National Emergency Communications Plan [NECP] Goal Assessments) and contribute to building a capability that will be evaluated through a formal exercise. Any training or training gaps, including training related to under-represented, diverse populations that may be more impacted by disasters, including children, seniors, individuals with disabilities or other access and functional needs, individuals with diverse culture and language use, individuals with lower economic capacity and other underserved populations, should be identified in an IPP and addressed in the state or high-risk urban area training cycle. Emergency preparedness training related to those training gaps, including related to under-represented, diverse populations that may be more impacted by disasters, is allowable. Recipients are encouraged to use existing training rather than developing new courses. When developing new courses, recipients are encouraged to apply the Analysis, Design, Development, Implementation, and Evaluation (ADDIE) model of instructional design.

Law Enforcement Readiness

SHSP or UASI grant funds may be requested and may be approved on a case-by-case basis for immigration enforcement training in support of the border security mission. Requests for training will be evaluated on a case-by-case basis and can only be used for certification in the section 287(g) program provided by DHS/ICE. SHSP or UASI subrecipients with agreements under section 287(g) of the *Immigration and Nationality Act* (INA) (8 U.S.C. § 1357(g)) to receive delegated authority for immigration enforcement within their jurisdictions may also be reimbursed for section 287(g) related operational activities with approval

from FEMA on a case-by-case basis.

V. MAINTENANCE AND SUSTAINMENT

Maintenance and sustainment related costs are allowed under this program only as described in the Preparedness Grants Manual.

VI. TRAVEL

Domestic travel costs are allowed under this program, as provided for in this NOFO. International travel is not an allowable cost under this program unless approved in advance by DHS/FEMA. See the Allowable Cost Matrix in Section D.13.g above for more information on allowable travel activities under SHSP and UASI.

VII. PERSONNEL

Personnel hiring, overtime, and backfill expenses are permitted under this grant to perform allowable HSGP planning, organization, training, exercise, and equipment activities. All recipients and subrecipients of HSGP funds, including SHSP and UASI allocations, may not use more than 50% of their awards to pay for personnel activities unless a waiver is approved by FEMA. For more information on the 50% personnel cap, please see FEMA IB 421b, Clarification on the *Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008* (Public Law 110-412) – the PRICE Act.

HSGP funds may not be used to support the hiring of any personnel to fulfill traditional public health and safety duties nor to supplant traditional public health and safety positions and responsibilities. The following definitions apply to personnel costs:

i. **Hiring**. State and local entities may use grant funding to cover the salary of newly hired personnel who are exclusively undertaking allowable FEMA grant activities as specified in this guidance. This may not include new personnel who are hired to fulfill any non-FEMA program activities under any circumstances. Hiring will always result in a net increase of Full Time Equivalent (FTE) employees.

ii. **Overtime**. These expenses are limited to the additional costs that result from personnel working over and above 40 hours of weekly work time as the direct result of their performance of FEMA-approved activities specified in this guidance. Overtime associated with any other activity is not eligible.

iii. **Backfill-Related Overtime**. Also called "Overtime as Backfill," these expenses are limited to overtime costs that result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to FEMA-approved activities outside their core responsibilities. Neither overtime nor backfill expenses are the result of an increase of FTE employees.

iv. **Supplanting**. Grant funds will be used to supplement existing funds and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or recipients may be required to supply

documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

Operational Overtime Costs

In support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism and other catastrophic events, operational overtime costs are allowable for increased protective security measures at critical infrastructure sites or other high-risk locations and to enhance public safety during mass gatherings and high-profile events. In that regard, HSGP recipients are urged to consider using grant funding to support soft target preparedness activities. SHSP or UASI funds may be used to support select operational expenses associated with increased security measures in the authorized categories cited in the table below, but this table is not exhaustive. FEMA retains the discretion to approve other types of requests that do not fit within one of the categories of the table.

Authorized Operational Overtime Categories

	Category	Description
1	**National Terrorism Advisory System (NTAS)**	Security measures in response to an increase in the threat level under the NTAS to an "elevated" or "imminent" alert status. FEMA Information Bulletin No. 367, Impact of National Terrorism Advisory System on Homeland Security Grant Programs, remains applicable; therefore, advance authorization from FEMA is not required. Refer to National Terrorism Advisory System | Homeland Security (dhs.gov) for additional information on the NTAS.
2	**National Security Special Event (NSSE)**	Security measures for a designated NSSE. NSSEs are events of national or international significance deemed by DHS to be a potential target for terrorism or other criminal activity.
3	**Special Event Assessment Rating (SEAR) Level 1 through Level 4 Events**	Security measures required for SEAR Level 1 through Level 4 events as designated by DHS and included in the DHS National Special Events List, as defined below: • SEAR 1: A significant event with national and/or international importance that may require extensive federal interagency support. • SEAR 2: A significant event with national and/or international importance that may require some level of federal interagency support. • SEAR 3: An event of national and/or international importance that requires only limited federal support. • SEAR 4: An event with limited national importance that is managed at state and local level. NOTE: In cases where a threat of terrorism can be associated with a SEAR Level 5 event, the event planners should coordinate with their state or territory Homeland Security Advisor to seek re-adjudication of the SEAR rating. Operational overtime for security measures

	Category	Description
		associated with such events will be considered for approval by FEMA if re-adjudication results in a SEAR 1 through 4 rating.
4	**States of Emergency**	Declarations of states of emergency by the Governor associated with a terrorism-related threat or incident. This excludes Presidentially declared major disasters or emergencies where federal funding support for the proposed grant-funded activity is made available through the FEMA Public Assistance program or other federal disaster grants.
5	**National Critical Infrastructure Prioritization Program (NCIPP)**	Protection of Level 1 and Level 2 facilities identified through DHS's NCIPP based on a terrorism-related threat to critical infrastructure.
6	**Directed Transit Patrols**	Targeted security patrols in airports and major transit hubs based on a terrorism-related threat to transportation systems.
7	**Other Related Personnel Overtime Costs**	Overtime costs may be authorized for personnel assigned to directly support any of the security activities relating to the categories above. Examples include firefighters and emergency medical services personnel; public works employees who may be responsible for installing protective barriers and fencing; public safety personnel assigned to assist with event access and crowd control; emergency communications specialists; backfill and overtime for staffing state or major urban area fusion centers; state Active Duty National Guard deployments to protect critical infrastructure sites, including all resources that are part of the standard National Guard deployment package (note: consumable costs, such as fuel expenses, are not allowed except as part of the standard National Guard deployment package); contract security services for critical infrastructure sites; participation in Regional Resiliency Assessment Program activities, increased border security activities in coordination with USBP, etc.
8	**Operational Support to a Federal Agency**	Overtime costs are allowable for personnel to participate in information, investigative, and intelligence sharing activities related to homeland security/terrorism preparedness and specifically requested by a federal agency. Allowable costs are limited to overtime associated with federally requested participation in eligible activities, including anti-terrorism task forces, Joint Terrorism Task Forces (JTTFs), Area Maritime Security Committees (as required by the *Maritime Transportation Security Act of 2002*), DHS Border Enforcement Security Task Forces, and Integrated Border Enforcement Teams. In addition, reimbursement for operational overtime law enforcement activities related to combating transnational crime organizations in support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism is an allowable expense under SHSP and UASI on a case-by-case basis. Grant funding can only be used in proportion to the federal man-hour estimate and only after funding for these activities from other federal sources (i.e., FBI JTTF payments to state and local agencies) has been exhausted.

All allowable operational overtime costs are also subject to the administration requirements outlined in the following subsection.

Administration of Operational Overtime Requests

i. Except for an elevated NTAS alert, SHSP or UASI funds may only be spent for operational overtime costs upon prior written approval by FEMA. The SAA must submit operational overtime requests in writing to its assigned FEMA Preparedness Officer. FEMA will consider requests for special event activities up to one year in advance. However such requests must be within the award's current POP and must not result in the need for a request to extend the period of performance. SAAs should contact FEMA Grants News 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, for clarification.

ii. All operational overtime requests must clearly explain how the request meets the criteria of one or more of the categories listed in the table above. Requests must address the threat environment as it relates to the event or activity requiring operational overtime support and explain how the overtime activity is responsive to the threat. Request letters sent to FEMA must be UNCLASSIFIED but may be labeled "For Official Use Only." If explaining the threat will require the sharing of classified information, the letter should state that fact. FEMA will then plan for the sharing of classified information through official channels;

iii. Post-event operational overtime requests will only be considered on a case-by-case basis, where it is demonstrated that exigent circumstances prevented submission of a request in advance of the event or activity;

iv. Under no circumstances may FEMA grant funding be used to pay for costs already supported by funding from another federal source;

v. States with UASI jurisdictions can use funds retained at the state level to reimburse eligible operational overtime expenses incurred by the state (per the above guidance limitations). Any UASI funds retained by the state must be used in direct support of the high-risk urban area. States must provide documentation to the Urban Area Working Group (UAWG) and FEMA upon request demonstrating how any UASI funds retained by a state would directly support the high-risk urban area; and

vi. FEMA will consult and coordinate with appropriate DHS components as necessary to verify information used to support operational overtime requests.

VIII. SECURE IDENTIFICATION

Secure identification costs are allowed under this program. SHSP funds may be used to support the implementation activities associated with the Western Hemisphere Travel Initiative (WHTI), including the issuance of WHTI-compliant tribal identification cards.

IX. MULTIPLE PURPOSE OR DUAL-USE OF FUNDS

Please see the Preparedness Grants Manual for information on multiple purpose of dual-use of funds under SHSP and UASI.

i. *OPSG Other Direct Costs*

Recipients must comply with all the requirements in 2 C.F.R. Part 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*). In general, recipients should consult with their FEMA HQ Preparedness Officer prior to making any investment that does not clearly meet the allowable expense criteria. Funding guidelines established within this section support four of the five mission areas—Prevention, Protection, Mitigation, and Response—and associated core capabilities within the Goal. While Recovery is part of the Goal, it is not explicitly part of the HSGP. Allowable investments made in support of the national priorities, as well as other capability-enhancing projects must have a nexus to terrorism preparedness and fall into the categories of planning, organization, exercises, training, or equipment, aligned to building capability, closing capability gaps, and/or sustaining capabilities, as defined by CPG 201: THIRA/SPR Guide—3rd Edition (Comprehensive Preparedness Guide (CPG) 201, 3rd Edition (fema.gov)). Recipients are encouraged to use grant funds for evaluating grant-funded project effectiveness and return on investment. FEMA encourages recipients to provide the results of that analysis to FEMA.

I. PLANNING

Planning costs are allowed under this program only as described in this funding notice. See the Allowable Cost Matrix in Section D.13.g above for more information on allowable planning activities for OPSG.

II. ORGANIZATION

Organization costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual. See the Allowable Cost Matrix in Section D.13.g above for more information on allowable organizational activities for OPSG.

III. EQUIPMENT

Equipment costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual.

OPSG equipment is intended to be incidental to the enhanced border security operations being performed. The grant is not intended to be used to outfit or supply general equipment to SLTT law enforcement agencies. Equipment must be relatable to and justified by the operational benefit it will provide. Each appropriate OPSG sector coordinator is required to keep an inventory of OPSG purchased equipment that includes at a minimum: 1) grant funding year; 2) purchase amount; 3) purchase date; 4) purchase quantity; 5) equipment ID; 6) source of funding for the property, including the Federal Award Identification Number; 7) who holds title to the property; 8) federal share percent of the

property; 9) location of the property; 10) use and condition of the property; 11) disposal date; and 12) brief disposal justification information and sale price if sold. Each Operations Order/FRAGO will require that each friendly force submit the equipment inventory for each Operations Order/FRAGO submission.

i. **Equipment Marking**. Because equipment purchased with OPSG funding is intended to be used to support OPSG activities, it **may** be appropriately marked to ensure its ready identification and primary use for that purpose. **When practicable**, any equipment purchased with OPSG funding **should** be prominently marked as follows: **"Purchased with DHS funds for Operation Stonegarden Use."**
ii. **Fuel Cost and Mileage Reimbursement.** There is no cap for reimbursement of fuel or mileage costs in support of operational activities. Subrecipients and friendly forces may not claim reimbursements for both mileage and fuel/maintenance for the same equipment at the same time.
iii. **Vehicle and Equipment Acquisition, Including Leasing and Rentals**. Allowable purchases under OPSG include patrol vehicles and other mission-specific equipment whose primary purpose is to increase operational capabilities on or near a border nexus in support of approved border security operations. A detailed justification must be submitted to the respective FEMA HQ Preparedness Officer prior to purchase.
iv. **Medical Emergency Countermeasures.** Allowable purchases under OPSG include narcotic antagonist pharmaceuticals, detection and identification equipment, safe storage and transportation, personnel protective equipment, and initial equipment training, as reflected in the AEL.

Requirements for Small Unmanned Aircraft Systems
Small Unmanned Aircraft Systems (sUAS) are allowable under the HSGP. See the Preparedness Grants Manual for more information.

General Purpose Equipment
HSGP allows expenditures on general purpose equipment if it aligns to and supports one or more core capabilities identified in the Goal and has a nexus to terrorism preparedness. General purpose equipment, like all equipment funded under the HSGP, must be sharable through the EMAC[7] and allowable under 6 U.S.C. § 609, and any other applicable provision of the *Homeland Security Act of 2002*, as amended. Examples of such general-purpose equipment may include:

- Law enforcement/general use vehicles (OPSG only);
- Emergency medical services equipment and vehicles;
- Fire service equipment and vehicles, to include hose, pump accessories, and foam concentrate for specialized

[7]Except for American Samoa and the Commonwealth of the Northern Mariana Islands, which are not required to belong to EMAC at this time.

chemical/biological/radiological/nuclear/explosive (CBRNE) response;
- Interoperability of data systems, such as computer aided dispatch (CAD) and record management systems (RMS); and
- Office equipment for staff[8] engaged in homeland security program activity.

Controlled Equipment

For decades, the federal government has provided equipment to state, local, and tribal law enforcement agencies (LEAs) through federal grants. Some federal grant programs have assisted LEAs as they carry out their critical missions to keep the American people safe. The equipment acquired by LEAs through these programs includes administrative equipment, such as office furniture and computers. Some federal grant programs also may include military and military-styled equipment, firearms, and tactical vehicles provided by the federal government, including property covered under 22 C.F.R. Part 121 and 15 C.F.R. Part 774 (collectively, "controlled equipment").

However, not all equipment that is considered controlled equipment is allowable under the HSGP. As noted in Section B of FEMA Policy 207-22-0002, Prohibited or Controlled Equipment Under FEMA Awards, certain equipment is prohibited and is not allowable under HSGP. Grant funds under this program may not be used for the purchase of equipment not approved by DHS/FEMA. For example, the purchase of tracked armored vehicles, camouflage uniforms, weapons, and weapons accessories, including ammunition, is generally not allowed with HSGP funds.[9]

For some controlled equipment that is allowable under the HSGP, additional documentation, justifications, reviews, and approvals are required, including but not limited to proof of policies and procedures to safeguard individuals' privacy, civil rights, and civil liberties. Contact your Preparedness Officer if you have questions concerning HSGP requirements for controlled equipment requests.

Grant funds under this program must comply with the aforementioned FEMA Policy 207-22-0002, Prohibited or Controlled Equipment Under FEMA Awards. As per this FEMA Policy, excepted or controlled equipment must remain in the possession of the original FEMA grant recipient and may not be transferred. The use of controlled equipment under a Memorandum of Understanding or other

[8]This applies to all homeland security personnel and is not limited to M&A staff, and costs are to be captured outside the cap on M&A costs.

[9] FEMA issued Policy 207-22-0002 in response to Executive Order (EO) 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety, which President Joseph R. Biden issued on May 25, 2022. EO 14074 directs the DHS to prohibit the use of grant funding to purchase certain types of military equipment by state, local, tribal, and territorial law enforcement agencies and to comply with and implement the recommendations stemming from EO 13688, which established prohibited equipment and controlled equipment lists.

regional sharing agreement (see Section D.6 of this FEMA Policy) does *not* constitute a transfer of controlled equipment.

DHS/FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on controlled equipment expenditures while continuing to support these investments when there is a justifiable need. Further, DHS/FEMA will continue to maintain an awareness of the evolving policy developments related to controlled equipment expenditures and keep grant recipients up to date on future developments.

Construction and Renovation
OPSG funds may not be used for any construction.

IV. Training and Exercises

Training and exercise costs are allowed under this program only as described in this funding notice and the Preparedness Grants Manual (e.g., related to EHP compliance). Recipients are encouraged to consider tuition-free courses offered by FEMA first, before investing in training. For more information and a catalog of courses please refer to the National Preparedness Course Catalog at NTED.

Law Enforcement Readiness
OPSG grant funds may be used to increase operational, material, and technological readiness of SLTT law enforcement agencies. The Delegation of Immigration Authority, Section 287(g) of the *INA* program allows a state or local law enforcement entity to enter into a partnership with Immigration and Customs Enforcement (ICE), under a joint Memorandum of Agreement (MOA), to receive delegated authority for immigration enforcement within their jurisdictions.

OPSG grant funds may be requested and may be approved on a case-by-case basis for immigration enforcement training in support of the border security mission. Requests for training will be evaluated on a case-by-case basis and can only be used for certification in the section 287(g) program provided by DHS/ICE. OPSG subrecipients with agreements under section 287(g) of the *INA* (8 U.S.C. § 1357(g)) to receive delegated authority for immigration enforcement within their jurisdictions may also be reimbursed for section 287(g) related operational activities with approval from FEMA on a case-by-case basis. For OPSG, subrecipients must be authorized by USBP Headquarters and Sectors, and operational activities must be coordinated through a USBP Sector.

V. Maintenance and Sustainment

Maintenance and sustainment related costs are allowed under this program only as described in the Preparedness Grants Manual.

VI. Travel

Domestic travel costs are allowed under this program, as provided for in this NOFO and in the Preparedness Grants Manual. International travel is not an

allowable cost under this program unless approved in advance by DHS/FEMA. See the Allowable Cost Matrix in Section D.13.g above for more information on allowable travel activities under OPSG.

VII. PERSONNEL

Personnel hiring, overtime, and backfill expenses are permitted under this grant to perform allowable HSGP planning, organization, training, exercise, and equipment activities. Under OPSG, overtime costs are allowable only in so far as they meet the intent of the program. All recipients and subrecipients of HSGP funds, including OPSG allocations, may not use more than 50% of their awards to pay for personnel activities unless a waiver is approved by FEMA. For more information on the 50% personnel cap, please see FEMA IB 421b, *Clarification on the Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008 (Public Law 110-412 – the PRICE Act)*.

Further, changes in scope or objective also require FEMA's prior written approval pursuant to 2 C.F.R. § 200.308(c)(1). If the cost changes are allowable under the grant, a Fragmentary Order (FRAGO) must be submitted to Homeland Security Information Network (HSIN) to obtain FEMA's prior written approval of such changes in accordance with 2 C.F.R. § 200.308(c)(1). These modifications will be annotated in the annex section of the FRAGO.

OPSG funds may be used for domestic travel and *per diem*, including costs associated with the deployment/redeployment of personnel to border areas and for travel associated with law enforcement entities assisting other local jurisdictions in law enforcement activities. In addition, allowable costs include supporting up to six-month deployment of law enforcement personnel to critical Southwest Border locations for operational activities (travel costs must be in accordance with applicable travel regulations).

OPSG funds may be used to pay additional current part-time law enforcement personnel salaries to bring them to temporary full-time status. OPSG funds may support a Governor's request to activate, deploy, or redeploy specialized National Guard Units/Package and/or elements of state law enforcement serving as friendly forces to increase or augment specialized/technical law enforcement elements' operational activities. Costs associated with backfill for personnel supporting operational activities are allowable.

As with all OPSG personnel costs, OPSG grant funds will be used to supplement existing funds and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or recipients may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

Operational Overtime Costs

OPSG funds should be used for operational overtime costs associated with law enforcement activities in support of border law enforcement agencies for enhanced border security. Overtime pay is for increased patrol time for certified public safety officers, along with limited support for other law enforcement direct support personnel (e.g., Communication Officers/Dispatchers, non-sworn patrol pilots, etc.). Overtime shall be reimbursed consistent with the non-federal entity's overtime policy and the requirements as stated below:

i. Overtime is time worked that exceeds the required number of hours during an employee's designated shift;
ii. Overtime must be worked to increase patrol capacity and be in support of identified and approved United States Border Patrol (USBP) border security operations;
iii. The OPSG overtime hourly rate of pay will be no more than the approved overtime rate per local law and policy and must be in accordance with applicable state and federal regulations;
iv. All overtime expenses under OPSG must be reasonable for the services rendered and conform to the non-federal entity's established written policy, which must apply to both federally funded and non-federally funded activities and comply with the other applicable requirements under 2 C.F.R. §§ 200.430-200.431; and
v. The non-federal entity may not utilize OPSG funding to pay for an employee's overtime hours or pay that exceeds 16 hours worked in any 24-hour period.

Intelligence Support

Per 6 U.S.C. § 609(a), OPSG funds may, as applicable and operationally beneficial, be used to pay salaries and benefits or overtime for personnel to serve as qualified Intelligence Analysts to enable and enhance information/intelligence sharing capabilities, as well as support existing intelligence analysts previously covered by OPSG funding. Qualified OPSG-funded intelligence analysts can be assigned to an applicable law enforcement facility/intelligence function as long as information/intelligence sharing is maintained. To serve as an OPSG-funded intelligence analyst, personnel must meet at least one of the following criteria:

i. Complete training to ensure baseline proficiency in intelligence analysis and production within six (6) months of being hired; and/or,
ii. Previously served as an intelligence analyst for a minimum of two years either in a federal intelligence agency, the military, or state and/or local law enforcement intelligence unit.

OPSG-funded intelligence analysts must demonstrate qualifications that meet or exceed competencies identified in the Common Competencies for state, local, and tribal intelligence analysts, which outlines the minimum categories of training needed for intelligence analysts. A certificate of completion of such training must be on file with the SAA and must be made available to the recipient's respective FEMA HQ Preparedness Officer upon request.

VIII. REGIONAL BORDER PROJECTS

Recipients are encouraged to prioritize the acquisition and development of regional projects on the borders to maximize interoperability and coordination capabilities among federal agencies and with state, local, and tribal law enforcement partners. Such regional projects include:

i. Communications equipment;
ii. Radio systems and repeaters;
iii. Integration with regional intelligence and information sharing effort (i.e., fusion centers):
    - Intelligence analysts.
iv. Situational Awareness equipment:
    - License Plate Reader Networks;
    - Visual detection and surveillance systems;
    - Sensor Systems;
    - Radar Systems (for air and/or marine incursions); and
    - Aircraft systems (manned or unmanned).

IX. TRANSPORTATION COSTS AND COSTS RELATED TO THE PROVISION OF ACUTE MEDICAL CARE

Vehicle, fuel, mileage, operational overtime, and other types of costs otherwise allowable under an OPSG award's HSGP NOFO are allowable where the costs are in support of the necessary transportation of individuals interdicted while carrying out allowable OPSG-funded activities or operations from the point of interdiction to an applicable law enforcement facility.

When transporting individuals interdicted in the course of carrying out allowable OPSG-funded activities or operations from the point of interdiction, non-Federal entities may charge vehicle, fuel, mileage, operational overtime, and other types of costs otherwise allowable under an OPSG award's HSGP NOFO associated with necessary transportation to provide acute medical care for individuals being transported from the point of interdiction. In such cases, non-Federal entities may also charge operational overtime for personnel that monitor a detained individual receiving acute medical care where the individual remains in the custody of the non-Federal law enforcement agency. Costs incurred beyond the acute phase of medical care (e.g., upon admission to the hospital, or after transfer from an acute care facility to the hospital) and costs incurred once the custodial responsibility of the individual is transferred to CBP are not allowable under OPSG.

Costs described above are allowable regardless of what entity or agency initially makes the interdiction. Personnel costs incurred by non-Federal law enforcement agencies eligible under OPSG (including deputies, corrections officers, or detention officers) for costs described above are allowable.

X. TEMPORARY OR TERM APPOINTMENTS

Temporary or term appointments are allowable under an OPSG award, so long as they comply with the following:

i. Subrecipients may utilize temporary or term appointments to augment the law enforcement presence on the borders. However, applying funds toward hiring full-time or permanent sworn public safety officers is unallowable;

ii. OPSG-funded temporary or term appointments may not exceed the approved period of performance:
   - For OPSG purposes, temporary appointments are non-status appointments for less than one year; and
   - For OPSG purposes, term appointments are non-status appointments for one year, extendable for one year as necessary.

iii. OPSG funding for temporary or term appointments may pay for salary only. Benefits are not allowable expenses for term or temporary employees;

iv. OPSG remains a non-hiring program. Appropriate uses of temporary or term appointments include:
   - To carry out specific enforcement operations work for ongoing OPSG-funded patrols throughout the Sector Area of Operation;
   - To staff operations of limited duration, such as OPSG-enhanced enforcement patrols targeting specific locations or criminal activity; and
   - To fill OPSG positions in activities undergoing transition or personnel shortages and local backfill policies (medical/military deployments).

v. OPSG term and temporary appointments must have all necessary certifications and training to enforce state and local laws. OPSG funds will not be used to train or certify term or temporary appointments except as otherwise stated in this NOFO and the Preparedness Grants Manual; and

vi. FEMA provides no guarantee of funding for temporary or term appointments. In addition to the terms of this NOFO, subrecipients must follow their own applicable policies and procedures regarding temporary or term appointments.

j. Unallowable Costs for SHSP, UASI, and OPSG

Per FEMA policy, the purchase of weapons and weapons accessories, including ammunition, is not allowed with HSGP funds. Grant funds may not be used for the purchase of equipment not approved by FEMA. Grant funds must comply with FEMA Policy 207-22-0002, Prohibited or Controlled Equipment Under FEMA Awards, and may not be used for the purchase of the following equipment: firearms; ammunition; grenade launchers; bayonets; or weaponized aircraft, vessels, or vehicles of any kind with weapons installed. Unauthorized exercise-related costs include:

- Reimbursement for the maintenance or wear and tear costs of general use vehicles (e.g., construction vehicles), medical supplies, and emergency response apparatus (e.g., fire trucks, ambulances); and
- Equipment that is purchased for permanent installation and/or use, beyond the scope of the conclusion of the exercise (e.g., electronic messaging sign).

i. Unallowable Costs for OPSG Only

OPSG unallowable costs include costs associated with evidence collection, arrest processing, prosecution, and Traffic/DUI checkpoints, such as evidence documentation cameras, fingerprinting supplies, alcohol breathalyzers, portable work lights, traffic barricades, and similar law enforcement expenses. OPSG unallowable costs also include costs associated with staffing and general IT computing equipment and hardware, such as personal computers, faxes, copy machines, modems, etc. OPSG is not intended as a hiring program. Therefore, applying funds toward hiring full-time or permanent sworn public safety officers is unallowable. OPSG funding shall not be used to supplant inherent routine patrols and law enforcement operations or activities not directly related to providing enhanced coordination between local and federal law enforcement agencies. Finally, construction and/or renovation costs are prohibited under OPSG. Applicants should refer to IB 421b, or contact their FEMA HQ Preparedness Officer for guidance and clarification. Due to the nature of OPSG, exercise expenses are not allowable costs under OPSG.

E. Application Review Information

1. Application Evaluation Criteria

a. *Programmatic Criteria*

i. Risk Methodology

The risk methodology determines the relative risk of terrorism faced by a given area considering the potential risk of terrorism to people, critical infrastructure, and economic security. The analysis includes, but is not limited to, threats from violent domestic extremists, international terrorist groups, individuals inspired by terrorists abroad, and the assessment of vulnerabilities and potential consequences. DHS defines risk as: "potential for an adverse outcome assessed as a function of hazard/threats, assets and their vulnerabilities, and consequences." See DHS Lexicon Terms and Definitions: 2018 Edition – Revision 04, (Apr. 2018). The FEMA risk methodology is focused on three elements:

i. **Threat**: the likelihood of an attack being attempted by an adversary;
ii. **Vulnerability**: the likelihood that an attack is successful, given that it is attempted; and
iii. **Consequence**: the effect of an event, incident, or occurrence.

NOTE: The THIRA/SPR process is separate from the risk methodology and its results do not affect grant allocations.

The Risk Methodology is used to inform allocations under HSGP. For more information on the SHSP, UASI, and OPSG allocation processes, please see Section B.1 of this NOFO, "Available Funding for the NOFO."

II. Application Evaluation Criteria

FEMA will evaluate the FY 2024 HSGP applications for completeness, adherence to programmatic guidelines, and anticipated effectiveness of the proposed investments. FEMA's review will include verification that each IJ and project:

- Aligns with at least one core capability identified in the Goal;
- Demonstrates how investments support building capability and/or closing capability gaps or sustaining capabilities identified in the THIRA/SPR process; and
- Supports a NIMS-typed resource and whether those assets are deployable/shareable to support emergency or disaster operations per existing EMAC agreements.

In addition to the above, FEMA will evaluate whether proposed projects are: 1) both feasible and effective at reducing the risks for which the project was designed; and 2) able to be fully completed within the three-year period of performance. FEMA will use the information provided in the application and after the submission of the first BSIR to determine the feasibility and effectiveness of a grant project. To that end, IJs should include:

- An explanation of how the proposed project(s) will achieve objectives as identified in the SPR, including expected long-term impact where applicable, and which core capability gap(s) it helps to close and how;
- A summary of the status of planning and design efforts accomplished to date (e.g., included in a capital improvement plan); and
- A project schedule with clear milestones.

Recipients are expected to conform, as applicable, with accepted engineering practices, established codes, standards, modeling techniques, and best practices, and participate in the development of case studies demonstrating the effective use of grant funds, as requested.

FEMA will also review any submitted National Priority Area-aligned IJs and projects to ensure they meet the minimum spend requirements. Additional information on how the National Priority Area IJs and projects will be reviewed for effectiveness is included in the Review and Selection Process section below.

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 SAM.gov identifies the applicant as being excluded from receiving federal awards or is flagged for any integrity record submission. 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:

i. Financial stability.
ii. Quality of management systems and ability to meet management standards.
iii. History of performance in managing federal award.
iv. Reports and findings from audits.
v. 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:

i. FEMA is required by 41 U.S.C. § 2313 and 2 C.F.R. § 200.206(a)(2) to review and consider any information about the applicant, including information on the applicant's immediate and highest-level owner, subsidiaries, and predecessors, 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).

ii. An applicant, at its option, may review information in FAPIIS and comment on any information about itself that a federal awarding agency previously entered.

iii. 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 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. ***SHSP and UASI***

All proposed investments will undergo a federal review by DHS/FEMA to verify compliance with all administrative and eligibility criteria identified in the NOFO. The federal review will be conducted by FEMA HQ Preparedness Officers. FEMA HQ Preparedness Officers will use a checklist to verify compliance with all administrative and eligibility criteria identified in the NOFO. Recipients must be able to demonstrate how investments support building capability and/or closing capability gaps or

sustaining capabilities identified in the THIRA/SPR process. IJs will be reviewed at both the investment and project level.

Emergency communications investments will be jointly reviewed by FEMA and CISA's Emergency Communications Division (ECD) to verify compliance with SAFECOM Guidance on Emergency Communications Grants (SAFECOM Guidance). FEMA and ECD will coordinate directly with the recipient on any compliance concerns and will provide technical assistance as necessary to help ensure full compliance.

Additional Effectiveness Evaluation Criteria for the National Priority Areas

FEMA will evaluate the FY 2024 HSGP IJs and projects submitted in support of the National Priority Areas for anticipated effectiveness. FEMA's review will include verification that each IJ or project meets the National Priority Area required spend percentages.

Cybersecurity investments will be reviewed by DHS/FEMA, CISA, and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the criteria set forth in this NOFO.

Soft Targets/Crowded Places investments will be reviewed by DHS/FEMA, CISA, and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the criteria set forth in this NOFO.

Information Sharing and Cooperation Investments will be reviewed by DHS/FEMA, DHS Office of Intelligence and Analysis, and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the criteria set forth in this NOFO.

For additional information on Fusion Center requirements, please see the Preparedness Grants Manual.

Domestic violent extremism investments will be reviewed by DHS/FEMA, DHS Office of Intelligence and Analysis, DHS Center for Prevention Programs and Partnerships, and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the scoring criteria set forth in this NOFO.

Community preparedness and resilience investments will be reviewed by DHS/FEMA and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the scoring criteria set forth in this NOFO.

Election security investments will be reviewed by DHS/FEMA, CISA, and other DHS components as appropriate, for compliance with purposes and requirements of the priority investment area. Proposed investments will be reviewed for effectiveness using the scoring criteria set forth in this NOFO.

FEMA will determine whether the proposed approach is clear, logical, and reasonable to address the priority areas of interest and contribute to a culture of national preparedness. This includes factors such as the objectives and strategies proposed to address the priority area, how the objectives and strategies overcome legal, political, or practical obstacles to reduce overall risk, the process, and criteria to select additional relevant projects, and the approach to monitor awards to satisfy the funding percentage allocations.

For applicants that elect to submit IJs and project-level details for the National Priority Areas at the time of application, effectiveness will be evaluated prior to award. If the projects are found to not sufficiently align with the National Priority Area(s), applicants may have funds placed on hold (up to 30%) until the projects are revised to satisfactorily address the National Priority Areas.

For applicants that elect to submit IJs and project-level details for the National Priority Areas as part of their December 2024 BSIR, they will have funds placed on hold in the amount of 30%. The hold will be released only after their December 2024 BSIR submission has been reviewed, projects related to the National Priority Areas deemed in alignment by DHS/FEMA, and the funding hold is removed by FEMA.

SAAs are still required to meet pass-through requirements even if funds are on hold related to the National Priority Areas.

To that end, IJs should include:

- How the proposed investment addresses the National Priority Area;
- An explanation of how the proposed projects were selected and will achieve objectives and strategies to build or sustain the core capability gaps identified in the SPR, including expected long-term impact where applicable; and
- A summary of the collaboration efforts to prevent, prepare for, protect against, and respond to acts of terrorism as well as anticipated outcomes of the project.

For FY 2024 SHSP and UASI investments and projects related to the National Priority Areas, effectiveness will be evaluated based on the following four factors:

- Investment Strategy (40%): Proposals will be evaluated based on the quality and extent to which applicants describe an effective strategy that demonstrates that proposed projects support the program objective of preventing, preparing for, protecting against, and responding to acts of terrorism, to meet its target capabilities, and otherwise reduce the overall risk to the high-risk urban area, the state, or the Nation.
- Budget (20%): Proposals will be evaluated based on the extent to which

applicants describe a budget plan for each investment demonstrating how the applicant will maximize cost effectiveness of grant expenditures.

- Impact/Outcomes (40%): Proposals will be evaluated on how the investment helps the jurisdiction close capability gaps identified in its SPR and addresses the relevant National Priority Area outlined in this NOFO. Further, proposals will be evaluated on their identification and estimated improvement of core capability(ies), the associated standardized target(s) that align with their proposed investment, and the ways in which the applicant will measure and/or evaluate improvement.
- Past Performance (additional consideration): Proposals will be evaluated based on the applicants demonstrated capability to execute the proposed investments. In evaluating applicants under this factor FEMA will consider the information provided by the applicant and may also consider relevant information from other sources.

b. *OPSG*

Applications will be reviewed by the SAA and USBP Sector Headquarters for completeness and adherence to programmatic guidelines and evaluated for anticipated feasibility, need, and impact of the Operations Orders. For more information on Operations Orders and other requirements of OPSG, see section D.10 above and the Preparedness Grants Manual.

DHS/FEMA will verify compliance with all administrative and eligibility criteria identified in the NOFO and required submission of Operations Orders and Inventory of Operations Orders by the established due dates. DHS/FEMA and USBP will use the results of both the risk analysis and the federal review by DHS/FEMA to make recommendations for funding to the Secretary of Homeland Security.

FY 2024 OPSG funds will be allocated among the eligible jurisdictions based on risk-based prioritization using the OPSG Risk Assessment described above. Final funding allocations are determined by the Secretary of Homeland Security, who may consider information and input from various law enforcement offices or subject-matter experts within the Department. Factors considered include, but are not limited to threat, vulnerability, miles of the border, and other border-specific law enforcement intelligence, as well as the feasibility of FY 2024 Operations Orders to designated localities within border states and territories.

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 and the Preparedness Grants Manual, as well as any specific terms and conditions in the Notice of Award to receive an award under this program.**

See the Preparedness Grants Manual for information on Notice of Award.

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 60 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. Pass-Through Requirements

Awards made to the SAA for HSGP carry additional **statutorily mandated** pass-through requirements. Pass-through is defined as an obligation on the part of the SAA to make funds available to local units of government, combinations of local units, tribal governments, or other specific groups or organizations. These entities are defined at 6 U.S.C. § 101(13) as:

- A county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government.
- An Indian tribe or authorized tribal organization, or in Alaska a Native village or Alaska Regional Native Corporation.
- A rural community, unincorporated town or village, or other public entity.

Four criteria must be met to pass-through grant funds:

- The SAA must make a firm written commitment to passing through grant funds to subrecipients;
- The SAA's commitment must be unconditional (i.e., no contingencies for the availability of SAA funds);
- There must be documentary evidence (i.e., award document, terms, and conditions) of the commitment; and
- The award terms must be communicated to the subrecipient.

Timing and Amount

The SAA must pass-through at least 80% of the funds awarded under SHSP and UASI to the above-defined local or tribal units of government within 45 calendar days of receipt of the funds. "Receipt of the funds" occurs either when the SAA accepts the award or 15 calendar days after the SAA receives notice of the award, whichever is earlier.

SAAs are sent notification of HSGP awards via the FEMA GO system. If an SAA accepts its award within 15 calendar days of receiving notice of the award in the FEMA GO system, the

45 calendar days pass-through period will start on the date the SAA accepted the award. Should an SAA not accept the HSGP award within 15 calendar days of receiving notice of the award in the FEMA GO system, the 45 calendar days pass-through period will begin 15 calendar days after the award notification is sent to the SAA via the FEMA GO system.

It is important to note that the period of performance start date does not directly affect the start of the 45 calendar days pass-through period. For example, an SAA may receive notice of the HSGP award on August 25, 2024, while the period of performance dates for that award are September 1, 2024, through August 31, 2027. In this example, the 45-day pass-through period will begin on the date the SAA accepts the HSGP award or September 9, 2024 (15 calendar days after the SAA was notified of the award), whichever date occurs first. The period of performance start date of September 1, 2024 would not affect the timing of meeting the 45-calendar day pass-through requirement.

Other SHSP and UASI Pass-Through Requirements

The signatory authority of the SAA must certify in writing to DHS/FEMA that pass-through requirements have been met. ***A letter of intent (or equivalent) to distribute funds is not considered sufficient.*** A letter of intent is not a firm commitment and if issued before FEMA makes the award, then a letter of intent is also not unconditional since it is inherently conditioned on receipt of funds.

The pass-through requirement does not apply to SHSP awards made to the District of Columbia, Guam, American Samoa, the U.S. Virgin Islands, or the Commonwealth of the Northern Mariana Islands. ***The Commonwealth of Puerto Rico is required to comply with the pass-through requirement***, and its SAA must also obligate at least 80% of the funds to local units of government within 45 calendar days of receipt of the funds.

Under SHSP, the SAA may retain more than 20% of funding for expenditures made by the state on behalf of the local unit(s) of government, such as expenditures by the state in order to pass through goods or services to local unit(s) of government in lieu of cash. This may occur only with the written consent, such as a Memorandum of Understanding, between the SAA and the local unit(s) of government. Separate written consent is necessary for each local unit of government in which more than 20% of funding is retained on their behalf by the state. The written consent must specify the amount of funds to be retained and the intended use of funds, including whether any goods or services will be passed through in lieu of cash. It must also be signed by authorized representatives of both the state and the local unit of government.

States shall review their written consent agreements yearly and ensure that they are still valid. If a written consent agreement is already in place from previous fiscal years, DHS/FEMA will continue to recognize it for FY 2024, unless the written consent review indicates the local government is no longer in agreement. If modifications to the existing agreement are necessary, the SAA should contact their assigned FEMA HQ Preparedness Officer. However, even if a written consent agreement is in place from previous fiscal years, ***the SAA must still initially carry out the pass-through documentation for its FY 2024***

award and comply with the four pass-through criteria described above before the written consent agreement can take effect for purposes of the FY 2024 funding.

Additional OPSG Requirements
The recipient is prohibited from obligating or expending funds provided through this award until each unique and specific county-level or equivalent Operational Order/Fragmentary Operations Order budget has been reviewed and approved through an official electronic mail notice issued by DHS/FEMA removing this special programmatic condition.

3. 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.

In addition to the information regarding DHS Standard Terms and Conditions and Ensuring the Protection of Civil Rights, see the Preparedness Grants Manual for additional information on administrative and national policy requirements, including the following:

- Environmental Planning and Historic Preservation (EHP) Compliance
- FirstNet
- National Incident Management System (NIMS) Implementation
- SAFECOM

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
DHS and 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***
See the Preparedness Grants Manual for information on EHP compliance.

d. ***National Incident Management System (NIMS) Implementation***
In expending funds under this program, recipients that are state, local, tribal, or territorial governments must ensure and maintain adoption and implementation of NIMS, including implementation of important operational systems defined under NIMS, such as ICS. The state, local, tribal, or territorial government must show adoption of NIMS during any point of the period of performance. See the Preparedness Grants Manual for information about NIMS implementation.

e. ***Emergency Communication Investments***
If an entity uses HSGP funding to support emergency communications investments, the following requirements shall apply to all such grant-funded communications investments in support of the emergency communications priorities and recognized best practices:

- The signatory authority for the SAA must certify in writing to DHS/FEMA their compliance with the SAFECOM Guidance. The certification letter should be coordinated with the SWIC for each state and must be uploaded to FEMA GO at the time of the first Program Performance Report submission.
- All states and territories must designate a full-time SWIC who has the authority and resources to actively improve interoperability with emergency management and response agencies across all levels of government, to include establishing statewide plans, policies, and procedures, and coordinating decisions on communications investments funded through federal grants. Note that the designated full-time SWIC may also be the state's or territory's cybersecurity point of contact. SWIC status information will be maintained by CISA and will be verified by FEMA GPD through programmatic monitoring activities.
- By the period of performance end date, all states and territories must update the SCIP, with a focus on communications resilience/continuity, to include assessment and mitigation of all potential risks identified in the SCIP: natural disasters, accidental damage (human failures), intentional damage (sabotage, terrorism), cybersecurity, etc. Following the initial update, the SCIP should be

updated on an annual basis. SCIP status information will be maintained by CISA and will be verified by FEMA GPD through programmatic monitoring activities.

All states and territories must test their emergency communications capabilities and procedures (as outlined in their operational communications plans) in conjunction with regularly planned exercises (separate/addition emergency communications exercises are not required). Exercises should be used to both demonstrate and validate skills learned in training and to identify gaps in capabilities. Resilience and continuity of communications should be tested during training and exercises to the greatest extent possible. Further, exercises should include participants from multiple jurisdictions, disciplines, and levels of government and include emergency management, emergency medical services, law enforcement, interoperability coordinators, public health officials, hospital officials, officials from colleges and universities, and other disciplines and private sector entities, as appropriate. Findings from exercises should be used to update programs to address gaps in emergency communications as well as emerging technologies, policies, and partners. Recipients are encouraged to increase awareness and availability of emergency communications exercise opportunities across all levels of government.

States, territories, and other eligible grant recipients are advised that HSGP funding may be used to support communications planning (including the cost of hiring a SWIC, participation in governance bodies and requirements delineated above), training, exercises, and equipment costs. Costs for transitioning to the FirstNet network may also be eligible. More information regarding FirstNet can be found in the Preparedness Grants Manual.

f. ***Mandatory Disclosures***

The non-Federal entity 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 CFR 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.

4. 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.

See the Preparedness Grants Manual for information on reporting requirements.

5. 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.

See the Preparedness Grants Manual for information on monitoring and oversight.

G. DHS Awarding Agency Contact Information

1. Contact and Resource Information

a. *Program Office Contact*

FEMA has assigned state-specific Preparedness Officers for the HSGP. If you do not know your Preparedness Officer, please contact FEMA Grants News by phone at (800) 368-6498 or by email at fema-grants-news@fema.dhs.gov, Monday through Friday, 9:00 AM – 5:00 PM ET.

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 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. *Grant Programs Directorate (GPD) Award Administration Division*

GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. Additional guidance and information can be obtained by contacting the AAD's Help Desk via e-mail at ASK-GMD@fema.dhs.gov.

d. FEMA Regional Offices

FEMA Regional Offices provide some fiscal support functions, including cash analysis and financial monitoring for this program. The FEMA Grant Programs Directorate, Office of Grants Administration, is responsible for financial and programmatic management of this program, and provides technical assistance, as needed or requested.

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

e. ***Equal Rights***
The FEMA Office of Equal 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.

f. ***Environmental Planning and Historic Preservation***
GPD's EHP Team provides guidance and information about the EHP review process to recipients and subrecipients. All inquiries and communications about GPD projects under this NOFO or the EHP review process, including the submittal of EHP review materials, should be sent to gpdehpinfo@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.

b. ***FEMA Preparedness Toolkit***
The FEMA Preparedness Toolkit (PrepToolkit) provides access to the tools and resources needed to implement the National Preparedness System and provide a collaborative community space for communities completing the Unified Reporting Tool (URT). Recipients complete and submit their THIRA/SPR, and other required assessments using the tools on PrepToolkit. For assistance, contact support@preptoolkit.fema.dhs.gov.

H. Additional Information

GPD has developed the Preparedness Grants Manual to guide applicants and recipients of grant funding on how to manage their grants and other resources. Recipients seeking guidance on policies and procedures for managing preparedness grants should reference the Preparedness Grants Manual for further information. Examples of information contained in the Preparedness Grants Manual include:

- Actions to Address Noncompliance
- Audits
- Case Studies and Use of Grant-Funded Resources During Real-World Incident Operations
- Community Lifelines
- Conflicts of Interest in the Administration of Federal Awards and Subawards
- Disability Integration
- National Incident Management System
- Payment Information

- Period of Performance Extensions
- Procurement Integrity
- Record Retention
- Termination Provisions
- Whole Community Preparedness
- Report Issues of Fraud, Waste, and Abuse
- Hazard Resistant Building Codes
- Other Post-Award Requirements

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. Note that all information in this Section H.1 "Termination Provisions" is repeated in the Preparedness Grants Manual.

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 FAPIIS 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. See also the section on Actions to Address Noncompliance in the Preparedness Grants Manual.

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. 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 America 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. and https://www.fema.gov/sites/default/files/documents/fema_build-america-buy-america-act-policy.pdf

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.

4. **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.

5. **National Threat Evaluation and Reporting (NTER) Program Office**
As the threat landscape continues to evolve, the DHS Office of Intelligence and Analysis (I&A) National Threat Evaluation and Reporting (NTER) Program Office empowers homeland security partners to adapt to new threats and prevent terrorism and targeted violence. NTER equips homeland security partners with tools and resources to identify, report, and mitigate threats of terrorism and targeted violence to keep the Homeland safe primarily through two lines of effort: the Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI) and Behavioral Threat Assessment Integration.

   a. **Behavioral Threat Assessment Integration**
   NTER assists federal, state, local, tribal, and territorial (F/SLTT) partners with integrating a behavioral approach to violence prevention into their processes for identifying and mitigating homeland security threats of targeted violence, regardless of motive. Through training, partner capacity building, and information sharing, NTER supports the identification and mitigation of threats. The Office fills a national gap by providing a framework for Behavioral Threat Assessment and Management (BTAM) as a best practice for targeted violence prevention.
      - The Master Trainer Program certifies F/SLTT partners in the instruction of BTAM techniques and best practices. This instructor development and certification program prepares F/SLTT partners to engage their local communities and empowers homeland partners to help mitigate threats and aid in preventing acts of targeted violence. ·
      - Foundations of Targeted Violence Prevention eLearning: This one-hour eLearning empowers partners to recognize threats or potentially concerning behaviors; understand what behaviors may be displayed by a person who is on a pathway to violence; learn where to report information of concern; and understand how the information reported will be used to keep our communities safe.

   b. **Nationwide Suspicious Activity Reporting Initiative**
   The NSI is a joint collaborative effort by the U.S. Department of Homeland Security, the Federal Bureau of Investigation, and F/SLTT law enforcement partners. This initiative provides law enforcement with a tool to help prevent terrorism and other related criminal activity by establishing a national capacity for identifying, gathering, documenting, processing, analyzing, and sharing tips and leads. The NSI is a standardized process for identifying, reporting, and sharing suspicious activity in jurisdictions across the country.
      - SAR Standardized Technical Assistance Consultation Guide: This document provides an overview of the technical assistance and training services.

- Online SAR Training for Law Enforcement and Hometown Security Partners: To increase the effectiveness of this multifaceted approach, the NSI has developed training programs for frontline officers and hometown security partners on how to report identified suspicious activity to the proper authorities while maintaining the protection of citizens' privacy, civil rights, and civil liberties.
- Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI) Fundamentals | Homeland Security (dhs.gov): This one-hour training course provides an interactive overview of the NSI. It provides users an understanding of the evaluation process used to determine whether identified behavior adheres to the Information Sharing Environment Functional Standard criteria, in accordance with privacy, civil rights, and civil liberties protections.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 6

Memorandum from Kristi Noem, Sec'y, to All Agencies and Offices (Feb. 19, 2025)

Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Homeland Security

February 19, 2025

MEMORANDUM FOR ALL AGENCIES AND OFFICES

FROM: Kristi Noem
Secretary

SUBJECT: **Restricting Grant Funding for Sanctuary Jurisdictions**

Following the horrific attacks on this country on September 11, 2001, the American people trusted their leaders to make sure it would never happen again. Among the circumstances that led to those attacks was the failure to treat immigration as a national security issue. The 9/11 Commission Report, for example, recognized that "the institutions charged with protecting our borders . . . did not understand how grave th[e] threat could be." 9/11 Commission Report at xvi. The Commission also specifically noted that there were, at that time, "9 million people . . . in the United States outside the legal immigration system." *Id.* at 390. A second factor recognized by the Commission was the failure of different law enforcement entities to share information. The Report recognized "pervasive problems of managing and sharing information across a large and unwieldy government." *Id.* at xvi.

The year after those terrible attacks, President George W. Bush signed into the law the Homeland Security Act of 2002. The Act created the Department of Homeland Security (DHS), and it transferred into that new agency a number of important national security components, including those responsible for immigration enforcement. Congress expressly found that "State and local personnel have capabilities and opportunities to gather information on suspicious activities and terrorist threats not possessed by Federal agencies." 6 U.S.C. § 481(b)(8). Congress also found that "[t]he Federal Government relies on State and local personnel to protect against terrorist attack." *Id.* § 481(b)(2).

The bottom line is that partnership is an essential element of our national security and public safety mission. And that mission undoubtedly includes immigration enforcement. State and local governments that refuse to cooperate with, refuse to share information with, or even actively obstruct federal immigration enforcement reject these ideals and the history we share in common as Americans. If any government entity chooses to thumb its nose at the Department of Homeland Security's national security and public safety mission, it should not receive a single dollar of the Department's money unless Congress has specifically required it.

For purposes of this memorandum, "sanctuary jurisdictions" include the following:

- Jurisdictions that fail to comply with the information sharing requirements of 8 U.S.C. §§ 1373 and 1644.

- Jurisdictions that violate other relevant laws, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, *id.* § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, *id.* § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability respecting these statutes.

- Jurisdictions that fail to honor requests for cooperation, such as participation in joint operations, sharing of information, or requests for short term detention of alien pursuant to a valid detainer. A jurisdiction, however, is not a sanctuary jurisdiction merely because it lacks the necessary resources to assist in a particular instance.

- Any jurisdiction that fails to provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien.

- Any jurisdiction that leaks the existence of an enforcement operation.

All components are to review all federal financial assistance awards to determine if Department funds, directly or indirectly, are going to sanctuary jurisdictions. To the extent consistent with relevant legal authorities and the applicable terms and conditions of each award, each component must cease providing federal funding to sanctuary jurisdictions. Components should also make appropriate criminal referrals to the Department of Justice where illegal conduct is discovered.

For questions regarding applicable legal authorities, components must consult with the General Counsel or his designee. For questions regarding whether a particular jurisdiction is a sanctuary jurisdiction, components must consult with the Director of Immigration and Customs Enforcement and the Commissioner of Customs and Border Protection or their designees.

Within 30 days, each component shall provide a report to the Undersecretary for Management with a summary of actions taken to comply with this memorandum.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 7

Memorandum from Cameron Hamilton, Senior Official Performing the Duties of the Adm'r, Fed. Emergency Mgmt. Agency, to Kristi Noem, Sec'y of the Dep't of Homeland Sec. (Mar. 20, 2025)

U.S. Department of Homeland Security
Washington, DC 20472

FEMA

March 20, 2025

DECISION

MEMORANDUM FOR: Kristi Noem
Secretary of the Department of Homeland Security

FROM: Cameron Hamilton
Senior Official Performing the Duties of the Administrator
Federal Emergency Management Agency

SUBJECT: **Approval of FEMA-Administered Grant Disbursements**

Purpose: To seek approval on the review process and parameters of grant programs administered by the Federal Emergency Management Agency (FEMA) to align with Administration and Secretary priorities on non-governmental organizations, immigration, and sanctuary jurisdictions.

Background: On Jan. 28, 2025, the Secretary of the Department of Homeland Security (DHS) issued a memo to components and agency heads entitled "*Direction on Grants to Non-governmental Organizations,*" which required the development and implementation of a process to review payments and obligations for grants that *"(1) go to non-profit organizations or for which non-profit organizations are eligible and (2) touch in any way on immigration."* In accordance with this instruction, FEMA is recommending the implementation of additional processes to review certain grants prior to releasing funds, as outlined in this memo.

The Secretary also issued a memo on Feb. 19, 2025, *"Restricting Grant Funding for Sanctuary Jurisdictions,"* instructing all components to "review all federal financial assistance awards to determine if Department funds, directly or indirectly, are going to sanctuary jurisdictions." In compliance with this memo, FEMA is providing recommendations for which grant programs sanctuary jurisdiction conditions should apply.

Appendix A provides a programmatic overview of all FEMA programs.

Action: FEMA Recommendations for Approval

1. The grant programs for which sanctuary jurisdiction conditions or restrictions should be applied;
2. The methodology FEMA will use to assess disaster and non-disaster grant programs in accordance with the Secretary's direction on non-governmental organizations (NGOs) and immigration; and
3. FEMA's recommended determinations for each grant program.

Action Item 1: FEMA Proposed Sanctuary Jurisdiction Programs and Applicability

FEMA recommends applying conditions or restrictions on FEMA administered non-disaster preparedness grant programs that go to a sanctuary jurisdiction as designated by U.S. Immigration and Customs Enforcement (ICE) and:

a. where the purpose of the grant has a nexus to immigration activities, law enforcement, or national security; or,
b. where statute does not limit how FEMA implements the program.

Based on the criteria above, FEMA recommends the conditions or restrictions be placed on all open and future awards for the following 12 programs[1]:

1. Case Management Pilot Program (CMPP);
2. Emergency Management Performance Grant (EMPG);
3. Homeland Security Grant Program – Operation Stonegarden (OPSG);
4. Homeland Security Grant Program – State Homeland Security Program (SHSP);
5. Homeland Security Grant Program – Urban Area Security Initiative;
6. Homeland Security National Training Program - Continuing Training Grants - Competitive (HSNTP-CTG);
7. Port Security Grant Program (PSGP);
8. Presidential Residence Protection Assistance Grant Program (PRPA);
9. Regional Catastrophic Preparedness Grant Program (RCPGP);
10. Shelter and Services Program (SSP);
11. Targeted Violence and Terrorism Prevention Grant Program (TVTP); and
12. Transit Security Grant Program (TSGP); and

As noted above, application of conditions or restrictions will vary based on the structure or authority of each respective program.[2] FEMA will assess each grant and submit proposed program implementation recommendations to the General Counsel for a legal determination as appropriate. These program implementation recommendations will include how the conditions or restrictions apply to prime awards, sub-awards, and existing awards and payments.

FEMA recommends conditions or restrictions on sanctuary jurisdictions not apply to disaster grants, non-disaster mitigation grants, and grants to fire departments and organizations that comprise the National Urban Search and Rescue Response System.

To implement guidance from the Secretary's memo, *"Restricting Grant Funding for Sanctuary Jurisdictions,"* FEMA has categorized disaster and non-disaster programs into two risk profiles using the above criteria. FEMA recommends approval of the proposed methodology:

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1 While the Tribal Homeland Security Grant Program meets the criteria outlined above, FEMA did not include it for sanctuary jurisdiction conditions or restrictions due to Tribal sovereignty.

2 See Appendix A for additional information on program eligibility.

Image A: Proposed Sanctuary Jurisdictions Risk Methodology

Sanctuary Jurisdiction Does Not Apply	Sanctuary Jurisdiction Applies

• Grant programs that:
  • Do not go to sanctuary jurisdiction; or
  • Are disaster or non-disaster mitigation grants; or
  • Are non-disaster grants with no nexus to immigration activities, law enforcement, or national security; or
  • Are limited by statute.
• These programs/projects should move forward without additional review.
	• Grant programs that:
	  • Go to a designated sanctuary jurisdiction; or
	  • Are non-disaster grants; and
	  • Have a nexus to immigration activities, law enforcement, or national security; or
	  • Are not limited by statute.
	• These programs/projects require additional review by DHS review.

Clears through existing program controls and review processes	Project identified as meeting S1 criteria, requires DHS review

Approve/date 3-25-25 Disapprove/date _____

Modify/date _____ Needs discussion/date _____

Action Item 2: FEMA Proposed NGO/Immigration Grant Risk Assessment Methodology

To implement guidance from the Secretary's memo, *"Direction on Grants to Non-governmental Organizations,"* FEMA has categorized all disaster and non-disaster grant programs into three risk profiles. In considering the risk level, FEMA will evaluate whether the intent and primary purpose of the grant relates to the nexus of immigration. The intent is to ensure that FEMA's grant programs do not encourage or induce illegal immigration or illegal harboring of illegal aliens or any other unlawful activity. This information will lead to the determination of their risk profile as outlined in Image B. FEMA recommends approval of the proposed methodology:

Image B: Proposed NGO/Immigration Risk Assessment Methodology

Low Risk	Medium Risk	High Risk
• Low likelihood that grant disbursements (1) go to NGOs, and (2) touch in any way on immigration. • These programs/projects should move forward without additional review.	• Further analysis required to determine likelihood. Indeterminate risk that grant disbursements (1) go to NGOs, and (2) touch in any way on immigration. • These programs/projects are pending review by FEMA to assess low or high risk, with concurrence from DHS.	• High likelihood that grant disbursements (1) go to NGOs, and (2) touch in any way on immigration. • These programs/projects require additional review by DHS.
Clears through existing program controls and review processes	Requires FEMA review to assess high or low risk with concurrence from DHS	Project identified as meeting S1 criteria, requires DHS review

Approve/date 3-25-25 Disapprove/date _____

Modify/date _____ Needs discussion/date _____

Action Item 3: Approval of FEMA's Recommended Determinations

In accordance with the above methodologies for non-disaster and disaster grants, FEMA recommends approval of the determinations by grant program as outlined in the table below. The recommended determinations are:

- **Green:** Cleared by FEMA to undergo the existing program controls and review processes. Programs have been identified to have a low likelihood of grant disbursements to NGOs **and** low likelihood of a nexus to immigration, and the sanctuary jurisdiction restriction do not apply. Grants with a "green" assessment are approved to move forward with payment consistent with FEMA's existing processes without additional review by DHS.
- **Yellow:** Pending review by FEMA to conduct additional analysis on the projects and awards to determine likelihood of grant disbursements to NGOs with an immigration nexus. Sanctuary jurisdiction restrictions do not apply. As FEMA completes the analysis, FEMA will submit decision memos to DHS to recommend a grant program be moved to green or red status. FEMA will also submit yellow payments weekly for DHS consideration and approval if payment can move forward.
- **Red:** For DHS review and approval of payment requests or evaluation for termination of grant program. Programs have been identified to have a high likelihood of grant disbursements to NGOs and immigration nexus, and/or meets the sanctuary jurisdiction restrictions. FEMA will conduct an assessment and provide recommendations to DHS on whether payments should be denied or approved. In the recommendation, FEMA will review the sanctuary jurisdictions identified by U.S. Immigration and Customs Enforcement (ICE) and specifically notate the jurisdictional restrictions. The recommendation will consider, among other things, the purpose and intent of the grant, the benefits to the DHS mission and risks, and the context of which organization is receiving the award. For example, is the individual grant award going to a county government who is not on the ICE sanctuary jurisdiction list, but the state is on the list. FEMA will also provide recommendations on if programs and/or individual grant awards should be terminated based on the Secretary's guidance.

Approve/date 3-25-25 Disapprove/date _____

Modify/date _____ Needs discussion/date _____

TABLE A: All FEMA Grant Programs and Recommended Review

AFT	Program	# of Open Awards	ULO Balance*	Risk of NGO / Immigration	Apply Sanctuary Jurisdiction	Recommended Determination
DRF	Community Disaster Loans (CDL)	44	$93,791,763	Low	No	Cleared by FEMA
DRF	Disaster Unemployment Assistance (DUA)	18	$49,847,337	Low	No	Cleared by FEMA
DRF	Fire Management Assistance Grants (FMAG) – previously included as part of Public Assistance – Grants to State & Local	124	$52,479,916	Low	No	Cleared by FEMA
DRF	Hazard Mitigation Grant Program (HMGP)	386	$4,414,617,261	Low	No	Cleared by FEMA
DRF	Hazard Mitigation Grant Program Post Fire (HMGP Post Fire)	269	$58,007,937	Low	No	Cleared by FEMA
DRF	Individual and Households Program (IHP)	N/A	$380,898,640	Low	No	Cleared by FEMA
DRF	Public Assistance – Grants to State & Local	44,266	$73,241,454,318	Low	No	Cleared by FEMA
DRF	Urban Search and Rescue (US&R)	NA	$141,254,817	Low	No	Cleared by FEMA
FA	Alliance for System Safety of Unmanned Aircraft Systems through Research Excellence (ASSURE)	4	$4,669,770	Low	No	Cleared by FEMA
FA	Assistance to Firefighter Grants (AFG)	3801	$464,132,184	Low	No	Cleared by FEMA
FA	Building Resilient Infrastructure and Communities (BRIC)	1365	$1,154,059,629**	Low	No	Cleared by FEMA
FA	Chemical Stockpile Emergency Preparedness Program (CSEPP)	9	$26,180,310	Low	No	Cleared by FEMA
FA	Community Assistance Program State Support Services Element (CAP-SSSE)	76	$11,587,984	Low	No	Cleared by FEMA

AFT	Program	# of Open Awards	ULO Balance*	Risk of NGO / Immigration	Apply Sanctuary Jurisdiction	Recommended Determination
FA	Cooperating Technical Partners (CTP)	480**	$239,537,976**	Low	No	Cleared by FEMA
FA	Emergency Management Baseline Assessments Grant (EMBAG)	3**	$127,416**	Low	No	Cleared by FEMA
FA	Emergency Operations Center (EOC)	95	$228,725,861	Low	No	Cleared by FEMA
FA	Fire Prevention and Safety (FP&S)	373	$80,643,658	Low	No	Cleared by FEMA
FA	Flood Mitigation Assistance (FMA)	473	$909,252,393	Low	No	Cleared by FEMA
FA	Flood Mitigation Assistance Swift Current (FMA Swift)	14	$0**	Low	No	Cleared by FEMA
FA	Homeland Security Preparedness Technical Assistance Program (HSPTAP)	4	$406,557	Low	No	Cleared by FEMA
FA	Homeland Security National Training Program (HSNTP) - National Domestic Preparedness Consortium (NDPC)	17	$134,067,348	Low	No	Cleared by FEMA
FA	HSNTP– National Cybersecurity Preparedness Consortium	5	$16,906,852	Low	No	Cleared by FEMA
FA	Intercity Bus Security Grant Program (IBSGP)	59	$2,905,029	Low	No	Cleared by FEMA
FA	National Dam Safety Program and Rehabilitation of High Hazard Potential Dams Grant Program (HHPD)	207	$244,022,266	Low	No	Cleared by FEMA
FA	National Earthquake Hazards Reduction Program (NEHRP) and Multi-State and National Earthquake Assistance (MSNEA) Grant Program	62	$4,876,775	Low	No	Cleared by FEMA
FA	National Fire Academy Training Assistance (NFATA)	10	$1,446,388	Low	No	Cleared by FEMA

AFT	Program	# of Open Awards	ULO Balance*	Risk of NGO / Immigration	Apply Sanctuary Jurisdiction	Recommended Determination
FA	National Incident Management System (NIMS)	3	$2,208,411**	Low	No	Cleared by FEMA
FA	National Urban Search and Rescue (US&R)	153	$66,105,406	Low	No	Cleared by FEMA
FA	Next Generation Warning System Grant Program (NGWSGP)[1]	3	$134,196,015	Low	No	Cleared by FEMA
FA	Pre-Disaster Mitigation (PDM)	99	$504,369,174	Low	No	Cleared by FEMA
FA	Safeguarding Tomorrow Revolving Loan Fund/Safeguarding Tomorrow through Ongoing Risk Mitigation Act (STORM)	9	$51,397,697	Low	No	Cleared by FEMA
FA	Staffing For Adequate Fire and Emergency Response (SAFER)	1125	$1,148,541,961**	Low	No	Cleared by FEMA
FA	State and Local Cybersecurity Grant Program (SLCGP)	161	$760,367,208	Low	No	Cleared by FEMA
FA	State Fire Training Systems Grants (SFT)	59	$876,377	Low	No	Cleared by FEMA
FA	Tribal Cybersecurity Grant Program (TCGP)	31	$17,620,204	Low	No	Cleared by FEMA
FA	Tribal Homeland Security Grant Program (THSGP)	77	$42,539,321	Low	No	Cleared by FEMA
DRF	Crisis Counseling Program (CCP)	63	$53,020,947	Medium	No	Pending Review

[1] The Corporation for Public Broadcasting has filed a lawsuit in the District of Columbia District Court on March 13, 2025, contending that FEMA's manual payment review process for NGWSGP awards was arbitrary and capricious in violation of the Administrative Procedures Act. If FEMA's recommended approach to categorizing the NGWSGP as "Cleared by FEMA" is approved, FEMA will make appropriate payments to the CPB using the manual payment review process.

AFT	Program	# of Open Awards	ULO Balance*	Risk of NGO / Immigration	Apply Sanctuary Jurisdiction	Recommended Determination
DRF	Disaster Case Management (DCM)	44	$182,577,136	Medium	No	Pending Review
DRF	Disaster Legal Services (DLS)	11	$95,000	Medium	No	Pending Review
DRF	Public Assistance – NGOs	7,234	$8,498,374,550	Medium	No	Pending Review
DRF	Public Assistance – Non-Congregate Sheltering	284	$1,297,129,208	Medium	No	Pending Review
FA	Emergency Food and Shelter Program (EFSP)	12	$251,590,333	Medium	No	Pending Review
FA	Nonprofit Security Grant Program (NSGP)[2]	400	$943,940,157	Medium	No	Pending Review
FA	Emergency Management Performance Grant (EMPG)	206	$476,990,846	Low	Yes	DHS Review
FA	Homeland Security Grant Program – Operation Stonegarden (OPSG)	87	$170,946,880	Low	Yes	DHS Review
FA	Homeland Security Grant Program – State Homeland Security Program (SHSP)	203	$761,745,900	Low	Yes	DHS Review
FA	Homeland Security Grant Program – Urban Area Security Initiative (UASI)	104	$1,919,725,009	Low	Yes	DHS Review
FA	Homeland Security National Training Program (HSNTP) - Continuing Training Grants Program - Competitive (CTG)	15	$15,525,591	Low	Yes	DHS Review
FA	Port Security Grant Program (PSGP)	787	$266,441,010	Low	Yes	DHS Review
FA	Presidential Residence Protection Assistance (PRPA)	2	$2,241,788**	Low	Yes	DHS Review
FA	Regional Catastrophic Preparedness Grant Program (RCPGP)	41	$36,087,421	Low	Yes	DHS Review

[2] While State Administrative Agencies (SAA) are the direct recipients of NSGP funding, awards are passed through to nonprofit organizations that are not subject to the sanctuary jurisdiction conditions or restrictions as described in the criteria above. Management and Administration costs are allowable under this grant program and may be retained by SAAs.

AFT	Program	# of Open Awards	ULO Balance*	Risk of NGO / Immigration	Apply Sanctuary Jurisdiction	Recommended Determination
FA	Targeted Violence and Terrorism Prevention Grant Program (TVTP)	122	$34,939,702	Medium	Yes	DHS Review
FA	Transit Security Grant Program (TSGP) / Intercity Passenger Rail (IPR)***	84	$283,147,532	Low	Yes	DHS Review
FA	Case Management Pilot Program (CMPP)	4	$47,201,306	High	Yes	DHS Review for Termination
FA	Emergency Food and Shelter Program – Humanitarian (EFSP-H)[3]	3**	$46,050,064**	High	No	DHS Review for Termination
FA	Shelter and Services Program (SSP)	156**	$887,107,461	High	Yes	DHS Review for Termination
TOTAL			**$100.859B**			

* ULOs are as of Jan. 28, 2025.

** Chart updated with revised figures. After further review, inaccuracies were identified in previous data that have now been corrected.[4] Previous FMA Swift Current number reflected unobligated amount rather than unliquidated.

*** Sanctuary jurisdiction conditions would apply to Transit Security Grant Program (TSGP) and not Intercity Passenger Rail (IPR).

[3] For EFSP-H, all spending periods for subawards have expired and the provision of services under the sunset program has ended. The remaining amount is funding reserved for management and administration (approximately $4 million) for the grantee and funds returned by the board.

TABLE B: Summary of Unliquidated Obligation (ULO) by Recommended Risk Determination

FEMA is reviewing all grants at a programmatic level, and also at the individual grant award level to understand the existing information available, and where additional research within the system can be conducted or where information from recipients will need to be collected. As the policy decisions and process are under development, FEMA has begun and will continue the individual grant award manual payment review process in preparation for the approach and methodology being approved. This manual review process requires significant staff time, but once the backlog is cleared, the process will operate on a much shorter processing time.

Risk Determination	Disaster Grants ULO	Non-Disaster Grant ULO	Total	Backlog Processing Time*
Cleared by FEMA	$78,432,351,989	$6,251,770,170	$84,684,122,159	45 days
Pending FEMA Review	$10,031,196,841	$1,195,530,490	$11,226,727,331	90 days
Recommend DHS Review	N/A	$3,967,791,679	$3,967,791,679	60 days
Recommended Terminated Programs	N/A	$980,358,831	$980,358,831	60 days
Total	**$88,463,548,830**	**$12,395,451,170**	**$100.859B**	

*This estimate includes the approximately 1,450 payment requests already submitted in FEMA grants systems only. It is not inclusive of the total ULO because payment requests will continue to be submitted for these programs as the work is completed throughout the period of performance, which for some programs may be up to three years.

Appendix A
Federal Emergency Management Agency Grant Programs Overview
Background/Purpose

On Feb. 19, 2025, Secretary Noem issued a memorandum *Restricting Grant Funding for Sanctuary Jurisdictions* and directed all components to review all federal financial assistance awards to determine if Department funds, directly or indirectly, are going to sanctuary jurisdictions (hereinafter "S1 Memo"). Appendix A below provides an overview of each FEMA administered grant program, to include the purpose of each grant program and the award criteria (i.e. whether the award criteria are discretionary or governed by statutory or regulatory competition, allocation, or eligibility criteria).

Recommended Determination: Cleared by FEMA

1. **Community Disaster Loans (42 U.S.C. §§ 5121, et seq.)**

   Purpose: Provides funding for local governments to operate their essential community services after substantial revenue loss caused by a disaster.

   Award Criteria: Statutory and regulatory eligibility criteria.

2. **Disaster Unemployment Assistance (42 U.S.C. §§ 5121, et seq.)**

   Purpose: Assistance to individuals unemployed as a result of a major disaster administered through a grant to the declared state or tribe.

   Award Criteria: Statutory and regulatory eligibility criteria.

3. **Fire Management Assistance Grants (42 U.S.C. §§ 5121, et seq.)**

   Purpose: The mitigation, management, and control of any fire on public or private forest land or grassland that threatens such destruction as would constitute a major disaster.

   Award Criteria: Statutory and regulatory eligibility criteria.

4. **Hazard Mitigation Grant Program (42 U.S.C. § 5170c)**

   Purpose: To help communities implement hazard mitigation measures, such as elevation, acquisition, and flood control projects, to reduce or eliminate long-term risk to people and property from natural hazards following a presidential major disaster declaration under the Stafford Act.

   Award Criteria: Statutory and regulatory eligibility criteria.

5. **Hazard Mitigation Grant Program – Post Fire (42 U.S.C. § 5170c(a); 42 U.S.C. § 5187(d))**

Purpose: Makes assistance available to help communities implement hazard mitigation measures after wildfire disasters.

Award Criteria: Statutory and regulatory eligibility criteria. States, federally recognized tribes and territories affected by fires resulting in a Fire Management Assistance Grant (FMAG) declaration on or after Oct. 5, 2018, are eligible to apply.

6. **Individual and Households Programs (IHP) (42 U.S.C. §§ 5121, et seq.)**

Purpose: Provides financial and direct services to eligible individuals and households affected by a disaster, who have uninsured or under-insured necessary expenses and serious needs. IHP assistance is not a substitute for insurance and cannot compensate for all losses caused by a disaster. The assistance is intended to meet your basic needs and supplement disaster recovery efforts.

Award Criteria: Statutory and regulatory eligibility criteria.

7. **Urban Search & Rescue (US&R) (42 U.S.C. §§ 5121, et seq)**

Purpose: Provides reimbursement for lifesaving rescue operations that were performed by Federal Urban Search and Rescue teams during declared disaster.

Award Criteria**:** Statutory and regulatory eligibility criteria.

8. **Public Assistance – State and Local (42 U.S.C. §§ 5121, et seq.)**

Purpose: Financial assistance to states, tribal, territorial, and local governments for debris removal, for emergency work to support public safety, and for the repair, restoration, reconstruction, or replacement of a public facility damaged or destroyed by a major disaster.

Award Criteria: Noncompetitive, but with statutory and regulatory eligibility criteria.

9. **Homeland Security National Training Program (HSNTP) – Alliance for System Safety of Unmanned Aircraft Systems through Research Alliance (Title III of the Department of Homeland Security Appropriations Act, 2024, (Pub. L. No. 118-47); Joint Explanatory Statement accompanying the Department of Homeland Security Appropriations Act, 2024)**

Purpose: Provides funding for Mississippi State University's Federal Aviation Administration Center of Excellence for Unmanned Aircraft Systems (ASSURE) to support and target training solutions for state, local, tribal and territorial partners, which supports the objective of the National Preparedness System to facilitate an integrated, whole community, risk-informed, capabilities-based approach to preparedness.

Award Criteria: Discretionary, limited statutory award criteria. Award goes to Mississippi State University's Federal Aviation Administration Center of Excellence for Unmanned Aircraft Systems.

10. Assistance to Firefighters (15 U.S.C. § 2229)

Purpose: Financial assistance to fire departments, EMS organizations, and state fire training academies to enhance their ability to protect the health and safety of the public, as well as that of firefighting and EMS personnel against fire, fire-related, and other hazards.

Award Criteria: Competitive award with statutorily mandated criteria and peer review and statutory allocation requirements.

11. Building Resilient Infrastructure and Communities (42 U.S.C. §§ 5133, 5136)

Purpose: Makes federal funds available to states, the District of Columbia, U.S. territories, federally recognized Tribal governments, and local governments for hazard mitigation activities. BRIC aims to shift the focus of federal investments away from reactive, post-disaster spending and toward research-supported, proactive investments in community resilience. These investments aim to reduce future disaster losses, including loss of life and property as well as future spending from the Disaster Relief Fund (DRF). BRIC focuses on cost-effective mitigation measures including protecting public infrastructure so that critical services can withstand or more rapidly recover from future disasters, as well as other projects and activities to increase resilience throughout the nation.

Award Criteria: For the FY23 NOFO, there was a State/Territory allocation, a Tribal Set-Aside, and a National Competition with the remaining funds that are not awarded from the State/Territory Allocation and Tribal Set-Aside.

12. Chemical Stockpile Emergency Preparedness Program (50 U.S.C. § 1521)

Purpose: To assist state, local, and tribal governments in carrying out functions related to emergency preparedness and response in connection with the disposal of the lethal chemical agents and munitions in the United States' lethal chemical agents and munitions that existed on Nov. 8, 1985.

Award Criteria: Eligibility limited to communities in close proximity to military installations storing chemical weapons. FEMA currently awards a cooperative agreement to Kentucky who in turn pass-through subawards to local governments.

13. Community Assistance Program – State Support Services Element (CAP-SSSE) (42 U.S.C. §§ 4101, 4102)

Purpose: CAP-SSSE is a cooperative agreement which provides funding to state National Flood Insurance Program (NFIP) Coordinators to monitor community adoption and enforcement of the minimum floodplain management standards required for participation in the NFIP. CAP-SSSE funding is used to provide technical assistance to NFIP communities, evaluate community performance in implementing floodplain management activities, and conduct community assistance contacts and visits to ensure communities are compliant with NFIP minimum requirements and flood insurance remains available for sale within the communities.

Award Criteria: Discretionary, non-competitive award to State NFIP Coordinators, which may subaward funding to local or municipal floodplain management authorities.

14. Cooperating Technical Partners (CTP) Program (42 U.S.C. § 4101)

Purpose: To provide assistance to state, local, tribal, university, and nonprofit organizations to increase local involvement in and ownership of flood hazard identification and assessment programs. Recipients assist in the development and maintenance of flood risk data, which is used to develop or amend Flood Insurance Rate Maps and provide the baseline for communities to prepare for and mitigate against flood risks.

Award Criteria: Discretionary. No statutory criteria.

15. Emergency Management Baseline Assessment Grant (6 U.S.C. § 112 (b)(2))

Purpose: To assist the updating and enhancement of a set of standards for emergency preparedness and response and a related assessment methodology for the evaluation of state, local, and territorial emergency management operations.

Award Criteria: Discretionary, no statutory award criteria.

16. Emergency Operations Center Grant Program (42 U.S.C. § 5196c)

Purpose: Grants made available to State Administrative Agencies (SAAs) for equipping, upgrading, and constructing state, local, and tribal emergency operations centers.

Award Criteria: Eligible Emergency Operations Center projects identified in the Joint Explanatory Statement.

17. Fire Prevention and Safety (15 U.S.C. § 2229)

Purpose: Financial assistance to fire prevention programs and support for firefighter health and safety research and development.

Award Criteria: Competitive award with statutorily mandated criteria and peer review and statutory allocation requirements.

18. Flood Mitigation Assistance (42 U.S.C. § 4104c)

Purpose: To fund mitigation projects such as elevation, acquisition, floodproofing, and planning that reduces or eliminates long-term risk of flood damage to structures insured under the NFIP.

Award Criteria: Statutory eligibility criteria. Award determinations and funding allocations among eligible jurisdictions are made on a competitive basis with discretion to add criteria.

19. Flood Mitigation Assistance – Swift Current (42 U.S.C. § 4104c)

Purpose: Provides funding to mitigate buildings insured through the National Flood Insurance Program (NFIP) after a major disaster declaration following a flood-related disaster event to reduce risk against future flood damage. Funds are made available to states, territories, and federally recognized tribal governments that receive a major disaster declaration following a flood-related disaster event and meet all other eligibility criteria.

Award Criteria: Funding is only available to property owners that have a current flood insurance policy under the National Flood Insurance Program (NFIP) and a history of repetitive or substantial damage from flooding.

20. Homeland Security Preparedness Technical Assistance Program (6 U.S.C. § 112 (b)(2))

Purpose: To help private organization recipients to conduct planning, coordination, and training activities related to emergency management and preparedness.

Award Criteria: Discretionary, no statutory award criteria.

21. Homeland Security National Training Program (HSNTP) - National Domestic Preparedness Consortium (NDPC) (6 U.S.C. §§ 1102 and 112 (b)(2))

Purpose: To assist statutorily designated National Domestic Preparedness Consortium members to identify, develop, test, and deliver training to state, local, and tribal emergency response providers; provide on-site and mobile training; and facilitate delivery of training.

Award Criteria: Discretionary, limited statutory award criteria. Awards may only go to one of the six non-Federal members of the National Domestic Preparedness Consortium named in statute, which consist of five state universities and one private entity.

22. National Cyber Security Preparedness Consortium (National Cybersecurity Preparedness Consortium Act, 2021 (Pub. L. No. 117-122))

Purpose: Delivers over 40 training courses for more than 1,000 SLTT emergency managers, cyber network managers, and critical infrastructure professionals, annually to strengthen local, state, and national cyber and information systems and defend against and recover from cyber-attacks including attacks with cascading physical consequences.

Award Criteria: Awards may only go to one of the six non-federal members of the National Domestic Preparedness Consortium named in statute, which consist of five state universities and one private entity.

23. Intercity Bus Security Grant Program (6 U.S.C. § 1182)

Purpose: To make awards to eligible private operators providing transportation by an over-the-road bus for security improvements.

Award Criteria: Discretionary, competitive award based on statutory criteria that require funding decisions to prioritize security risks. The eligible applicants are private bus operators and not states or local governments.

24. National Dam Safety Program (33 U.S.C. § 467f)

Purpose: To enable states to increase dam safety through increased inspections, emergency action planning, improved state and federal coordination, training and workshops, and purchasing of equipment.

Award Criteria: Awards are based on eligibility criteria that are set by statute with funding allocations based on a statutory formula.

25. Rehabilitation of High Hazard Potential Dam Program (33 U.S.C. § 467f-2)

Purpose: Provide technical, planning, design, and construction assistance in the form of grants for rehabilitation, repair, and removal of eligible high hazard potential dams.

Award Criteria: For FY 2024, FEMA made funding available in allocations for 32 states and one territory.

26. National Earthquake Hazards Reduction Program – Multi-State and National Earthquake Assistance (MSNEA) (42 U.S.C. § 7704(a)(2)(B), (b)(2)(A)(i))

Purpose: The National Earthquake Hazards Reduction Program (NEHRP) Multi-State and National Earthquake Assistance (MSNEA) grant program makes funds available to nonprofit organizations and institutions of higher education that possess the critical skills necessary to develop and implement regional (multi-state) and/or national earthquake risk mitigation activities.

Award Criteria: Discretionary. The program's authorizing statutes do not prescribe specific criteria for recipients. FEMA awards competitive grants to nonprofit organizations and institutions of higher education that possess the critical skills necessary to develop and implement regional (multi-state) and/or national earthquake risk mitigation activities, on behalf of states and territories participating in the FEMA NEHRP State Assistance program.

27. National Earthquake Hazards Reduction Program – Individual State Earthquake Assistance (ISEA) (42 U.S.C. § 7704(b)(2)(A)(ix) and 42 U.S.C. § 7704(b) (2)(B))

Purpose: FEMA awards non-competitive grants to eligible states and territories with high to very high seismic risks to fund one or more of the following allowable activities. The purpose is to support the establishment of earthquake hazards reduction programming and the implementation of earthquake safety, mitigation, and resilience activities at the state and local level.

Award Criteria: Statutory and regulatory eligibility criteria. Eligibility is limited to states and territories that have been determined to have a high or very high risk of earthquakes. Eligibility is further limited to those states and territories who can provide the statutory 25% non-federal cost share.

28. National Fire Academy Training Assistance (Section 7 of the Federal Fire prevention and Control Act 15 U.S.C. 2206 (i)(1))

Purpose: Provides travel stipends (air or mileage) to SLTT fire and EMS personnel who attend resident classes at the National Fire Academy.

Award Criteria: Assistance to individuals reimbursing for part of cost to attend trainings in Emmitsburg, MD

29. National Incident Management System (NIMS) / Emergency Management Assistance Compact Program (EMAC) Program (6 U.S.C. § 761)

Purpose: To assist the administrator of the Emergency Management Assistance Compact (EMAC) to administer EMAC operations, to implement NIMS, and to continue coordination with FEMA and state, local, and tribal governments.

Award Criteria: Eligibility limited to administration of the Emergency Management Assistance Compact (EMAC).

30. National Urban Search and Rescue (US&R) Response System (42 U.S.C. § 5165f, 6 U.S.C. § 722)

Purpose: The purpose of these Readiness Cooperative Agreements is to support the continued development and maintenance of a national urban search and rescue capability among the 28 task forces within the National Urban Search and Rescue Response System.

Award Criteria: Statutory and regulatory eligibility criteria. Only the 28 sponsoring agencies currently designated by FEMA as members of the National Urban Search and Rescue Response System are eligible for readiness and response cooperative agreements.

31. Next Generation Warning System (Annual DHS Appropriations Acts)

Purpose: Enables public television broadcasters to upgrade to the Advanced Television Systems Committee broadcast standard (ATSC 3.0) that enables public projects that improve the ability of remote rural areas to receive alerts and warnings.

Award Criteria: The Corporation for Public Broadcasting is the only awardee of the grant. Per the FY24 NOFO, the awardee will then manage a competitive process to solicit sub-grant applications from eligible subrecipients to use these funds in accordance with the requirements and priorities set forth in the NOFO.

32. Pre-Disaster Mitigation (42 U.S.C. § 5133)

Purpose: Makes federal funds available to state, local, tribal, and territorial governments to plan for and implement sustainable cost-effective measures designed to reduce the risk to individuals and property from future natural hazards, while also reducing reliance on federal funding from future disasters.

Award Criteria: The FY 2024 PDM Grant Program provided funding to projects identified in the 2024 DHS Appropriations Act's Joint Explanatory Statement (JES) in the table starting on page 59 entitled "Homeland Security Community Project Funding/Congressionally Directed Spending."

33. Safeguarding Tomorrow Through Ongoing Risk Mitigation Loan Fund Program (42 U.S.C. § 5135)

Purpose: Provides capitalization grants to states, eligible federally recognized tribal governments, territories and the District of Columbia to establish revolving loan funds that provide hazard mitigation assistance for local governments to reduce risks from natural hazards and disasters.

Award Criteria: Awards are based on eligibility criteria that are set by statute with funding allocations based on a statutory formula.

34. Staffing for Adequate Fire and Emergency Response (15 U.S.C. § 2229a)

Purpose: Financial assistance for increasing the number of firefighters to help communities meet industry standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards.

Award Criteria: Competitive award program with statutorily mandated minimum application criteria and peer review.

35. State and Local Cybersecurity Grant Program (6 U.S.C. § 665g)

Purpose: To assist state, local, and territorial governments with managing and reducing systemic cyber risk.

Award Criteria: Mandatory, allocations to each state and territory based on statutory formula with the remainder to the states based on population.

36. State Fire Training Systems Grants (15 U.S.C. § 2206(f))

Purpose: To assist state fire service systems in providing training programs.

Award Criteria: Discretionary, no statutory award criteria.

37. Tribal Cybersecurity Grant Program (6 U.S.C. § 665g)

Purpose: To assist tribal governments with managing and reducing systemic cyber risk.

Award Criteria: Statutory requirement that the Secretary of DHS shall consult with the Secretary of the Interior and tribal governments in determining whether the grant would be competitive or allocated equally among the tribal governments of the federally recognized tribal nations.

38. Tribal Homeland Security Grant Program (6 U.S.C. § 606)

Purpose: Financial assistance to tribal governments to build and sustain capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism.

Award Criteria: Competitive award based on statutory criteria.

39. Intercity Passenger Rail (6 U.S.C. § 1163)

Purpose: To assist Amtrak in protecting critical surface transportation infrastructure and the traveling public from acts of terrorism and to increase the resilience of the Amtrak rail system.

Award Criteria: Sole source award to Amtrak. No funding is granted to states or local governments.

Recommended Determination: Pending Review

1. **Crisis Counseling Program (42 U.S.C. §§ 5121, et seq.)**

Purpose: Assistance to provide professional counseling services or training of disaster workers to survivors of major disasters to relieve mental health problems caused or aggravated by major disasters or their aftermath.

Award Criteria: Statutory and regulatory eligibility criteria.

2. **Disaster Case Management (42 U.S.C. §§ 5121, et seq.)**

Purpose: Case management services to survivors of major disasters to identify and address unmet needs.

Award Criteria: Statutory and regulatory eligibility criteria.

3. **Disaster Legal Services (DLS) (42 U.S.C. §§ 5121, et seq.)**

   Purpose: Provides confidential, free legal assistance to survivors who need legal help due to a major disaster, but who do not have the means to secure adequate legal services. For individuals seeking DLS, there is no formal application process. Individuals can access these services by contacting the phone number designated for the specific major disaster, which is established once the program has been authorized. In addition to this phone number, individuals can visit FEMA Disaster Recovery Centers where DLS attorneys may be physically located.

   Award Criteria: Statutory and regulatory eligibility criteria.

4. **Public Assistance – Non-Governmental Organizations (42 U.S.C. §§ 5121, et seq.)**

   Purpose: Financial Assistance to NGOs that perform essential community services for emergency work to ensure public safety, and for the repair, restoration, reconstruction, or replacement of an eligible facility damaged or destroyed by a major disaster.

   Award Criteria: Statutory and regulatory eligibility criteria.

5. **Public Assistance – Non-Congregate Sheltering (42 U.S.C. §§ 5121, et seq.)**

   Purpose: Financial Assistance to state, local, tribal and territorial governments for eligible sheltering expenses caused by a disaster.

   Award Criteria: Statutory and regulatory eligibility criteria.

6. **Emergency Food and Shelter Program (42 U.S.C. §§ 11331-11346)**

   Purpose: To supplement and expand ongoing efforts to provide shelter, food and supportive services for hungry and homeless people across the nation.

   Award Criteria: Mandatory, subaward determinations made by external board based on statutory criteria.

7. **Nonprofit Security Grant Program (6 U.S.C. § 609a)**

   Purpose: To assist non-profit organizations in target hardening and other physical security enhancements and activities.

   Award Criteria: By statute, only nonprofits that are located within a FEMA designated Urban Area for purposes of the Urban Area Security Initiative (UASI) program are eligible to apply for funding. The criteria for competitive award include a risk prioritization that is statutorily required, providing limited discretion to add grant conditions. There is no discernible connection between an award for a nonprofit organization and 8 U.S.C. §§ 1324(a)(1)(A)(ii)-(iv), 1373, and 1644 and the other criteria established in the S1 Memo.

Recommended Determination: DHS Review

1. **Emergency Management Performance Grant (6 U.S.C. § 762)**

   Purpose: To assist state, local, tribal, and territorial governments "in preparing for all hazards" and all phases of emergency management.

   Award Criteria: Mandatory, allocations to each state based on a statutory formula.

2. **State Homeland Security Grant Program (6 U.S.C. §§ 601 – 613)**

   Purpose: Assists states and local and tribal governments in building and sustaining capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism.

   Award Criteria: Statutory minimum allocation for each state with remaining awarded based on risk calculated using statutory criteria.

3. **Urban Area Security Initiative (6 U.S.C. §§ 601 – 613, DHS Appropriations Acts)**

   Purpose: Financial assistance to high-risk urban areas in building and sustaining capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism.

   Award Criteria: Awards based on risk calculated using statutorily required criteria. Discretion in determining how many high-risk urban areas shall receive funding through a State, but that discretion is often limited or guided by Congress through the annual appropriations process.

4. **Operation Stonegarden (6 U.S.C. §§ 601 – 613, DHS Appropriations Acts)**

   Purpose: Operation Stonegarden funds target expenditure by local governments for the purpose of border protection and border security.

   Award Criteria: Discretionary, competitive awards to states with 100% of funds sub-awarded to local law enforcement. The Department adopts the requirement for competition and criteria for award that is provided for in the legislative history of the appropriations act funding the program.

5. **Homeland Security National Training Program - Continuing Training Grants – Competitive (Annual DHS Appropriations Acts)**

   Purpose: To help training partners develop and deliver training to prepare whole communities to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and natural, man-made, and technological hazards.

   Award Criteria: Discretionary, no statutory award criteria. Per the FY24 NOFO, the Joint Explanatory Statement accompanying the FY 2024 DHS Appropriations Act (Pub. L. No.

118-47) directs Continuing Training Grants to be competitively awarded for FEMA-certified rural and tribal training.

6. **Port Security Grant Program (46 U.S.C. § 70107)**

   Purpose: Assistance to port authorities, facility operators, and state and local governments for maritime transportation infrastructure security.

   Award Criteria: Statute requires that funds be allocated based on risk, but otherwise discretionary.

7. **Presidential Residence Protection Assistance Program (Annual DHS Appropriations Acts)**

   Purpose: Provides funds to reimburse state and local enforcement agencies (LEAs) and emergency management agencies (EMAs) for extraordinary law enforcement or other emergency personnel costs incurred while protecting any non-governmental residence of the President that is designated or identified to be secured by the U.S. Secret Service.

8. **Regional Catastrophic Preparedness Grant Program. (Annual DHS Appropriations Acts)**

   Purpose: Supports the building of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient nation by providing resources to close known capability gaps in Housing and Logistics and Supply Chain Management, encouraging innovative regional solutions to issues related to catastrophic incidents, and building on existing regional efforts.

   Award Criteria: Discretionary program with no statutory award criteria. This program is administered through a competitive selection process.

9. **Targeted Violence and Terrorism Prevention (6 U.S.C. § 112 (b)(2); Annual DHS Appropriations Acts)**

   Purpose: To help prepare for, prevent and respond to emergent threats from violent extremism through planning, developing, implementing, or expanding educational outreach, community engagement, social service programs, training and exercises.

   Award Criteria: Discretionary program with no statutory award criteria. This program is administered through a competitive selection process.

10. **Transit Security Grant Program (6 U.S.C. § 1135)**

    Purpose: The purpose of the grant is to build and sustain transit agency security capabilities that protect national security.

    Award Criteria: Discretionary, competitive awards based on statutory criteria that require prioritization of funding based on risk.

Recommended Determination: DHS Review for Termination

1. **Case Management Pilot Program (Annual DHS Appropriation Acts)**

   Purpose: Makes funds available to local governments and/or nonprofits to provide voluntary case management and other services to aliens in immigration removal proceedings.

   Award Criteria: Discretionary; the CMPP National Board makes funds available to local governments and/or nonprofits (subrecipients) to provide case management and culturally, trauma-informed, and linguistically responsive services to eligible noncitizens who affirmatively volunteer to participate in the program.

2. **Emergency Food and Shelter Program – Humanitarian (42 U.S.C. §§ 11331-11346)**

   Purpose: To provide shelter and other services to families and individuals encountered by the Department of Homeland Security.

   Award Criteria: Mandatory, subaward determinations made by external board based on statutory criteria.

3. **Shelter and Services Program. (Annual DHS Appropriations Acts)**

   Purpose: To provide funds to non-federal entities for sheltering and related activities to aliens following their release from DHS. The intent is to support Customs and Border Protection in the safe, orderly, and humane release of aliens from short-term holding facilities.

   Award Criteria: SSP-Competitive: Competitive grants made available to local governments, federally recognized tribal governments, nonprofit organizations, and states that serve aliens recently released from DHS custody to provide shelter, food, transportation, acute medical care, personal hygiene supplies, and case management services and to increase the non-federal entities capacity to shelter aliens recently released from DHS custody, including renovations and modifications to existing facilities.

   SSP-Allocated: Funding in the FY24 NOFO is allocated to eligible applicants listed in a table in the NOFO. The allocations were based on release and destination data received from CBP over the time period of July 1, 2023, to Dec. 31, 2023, along with operational information available to CBP.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 8

Dep't of Homeland Sec., *Sanctuary Jurisdictions Defying Federal Immigration Law*
(captured June 1, 2025 1:19 AM GMT)

The Wayback Machine - https://web.archive.org/web/20250601011927/https://www.dhs.gov/sanctuary-jurisdictions

Homeland Security

U.S. Department of Homeland Security

Sanctuary Jurisdictions Defying Federal Immigration Law

Sanctuary jurisdictions undermine the rule of law and endanger the lives of Americans and Law Enforcement

Executive Order 14287: *Protecting American Communities from Criminal Aliens* requires that a list of states and local jurisdictions that obstruct the enforcement of Federal immigration laws (sanctuary jurisdictions) be published. Sanctuary jurisdictions including cities, counties, and states that are deliberately and shamefully obstructing the enforcement of federal immigration laws endangering American communities. Sanctuary cities protect dangerous criminal aliens from facing consequences and put law enforcement in peril.

The list below was created to identify sanctuary jurisdictions, which are determined by factors like compliance with federal law enforcement, information restrictions, and legal protections for illegal aliens.

Each jurisdiction listed will receive formal notification of its non-compliance with Federal statutes. DHS demands that these jurisdictions immediately review and revise their policies to align with Federal immigration laws and renew their obligation to protect American citizens, not dangerous illegal aliens.

Note that the list can be reviewed and changed at any time and will be updated regularly. No one should act on this information without conducting their own evaluation of the information.

Close all Open all

Sanctuary Jurisdiction List

Alaska

Cities

- City of Anchorage

California

State

- Self-Identification as a State Sanctuary Jurisdiction

County

- Alameda County
- Amador County
- Butte County
- Calaveras County
- Colusa County
- Del Norte County
- El Dorado County

- Glenn County
- Humboldt County
- Imperial County
- Lake County
- Lassen County
- Los Angeles County
- Madera County
- Mariposa County
- Mendocino County
- Merced County
- Modoc County
- Mono County
- Monterey County
- Nevada County
- Plumas County
- Riverside County
- Sacramento County
- San Benito County
- San Bernardino County
- San Francisco County
- San Joaquin County
- San Luis Obispo County
- San Mateo County
- Santa Barbara County
- Santa Clara County
- Santa Cruz County
- San Diego County
- Shasta County
- Sierra County
- Siskiyou County
- Solano County
- Sonoma County
- Stanislaus County
- Sutter County
- Tehama County
- Tuolumne County
- Trinity County
- Tulare County
- Ventura County
- Yolo County
- Yuba County

Cities

- Alameda
- Albany
- Arcata
- Baldwin Park
- Belmont
- Benicia
- Berkeley
- Calipatria
- Cathedral City
- Chula Vista
- City of San Rafael
- Coachella

- Concord
- Culver City
- Davis
- El Cerrito
- Emeryville
- Eureka
- Fort Bragg
- Fremont
- Fresno
- Hayward
- Healdsburg
- Huntington Beach
- Huron
- Imperial
- La Puente
- Long Beach
- Los Angeles
- Madera
- Malibu
- Martinez
- Maywood
- Menlo Park
- Mountain View
- Newark
- Oakland
- Pacifica
- Palm Springs
- Pasadena
- Petaluma
- Pleasanton
- Represa
- Richmond
- Sacramento
- Salinas
- San Diego
- San Francisco
- San Jose
- San Leandro
- San Luis Obispo
- San Pablo
- Santa Cruz
- Santa Rosa
- Santee
- Soledad
- Stockton
- Union City
- Ventura
- Vista
- Watsonville
- West Hollywood
- Williams

Colorado

State

- Self-Identification as a State Sanctuary Jurisdiction

Counties

- Adams County
- Arapahoe County
- Baca County
- Bent County
- Boulder County
- Broomfield County
- Chaffee County
- Cheyenne County
- Clear Creek County
- Conejos County
- Costilla County
- Custer County
- Denver County
- Eagle County
- Garfield County
- Gilpin County
- Gunnison County
- Huerfano County
- Jefferson County
- Kiowa County
- Kit Carson County
- La Plata County
- Lake County
- Larimer County
- Las Animas County
- Lincoln County
- Logan County
- Morgan County
- Otero County
- Park County
- Pitkin County
- Prowers County
- Pueblo County
- Rio Grande County
- Saguache County
- San Miguel County
- Summit County
- Washington County
- Yuma County

Cities

- Boulder
- City of Durango
- City of Fort Collins
- Denver
- Lafayette
- Lakewood
- Longmont
- Northglenn
- Town of Avon
- Town of Basalt

- Town of Carbondale
- Town of Dillon
- Town of Eagle
- Town of Vail

Connecticut

State

- Self-Identification as a State Sanctuary Jurisdiction

Cities

- East Haven
- Hamden
- Hartford
- New Haven
- New London
- Windham

Delaware

State

- Self-Identification as a State Sanctuary Jurisdiction

Counties

- New Castle County

Cities

- Camden
- Newark

District of Columbia

Cities

- Self-Identification as Local Sanctuary Jurisdiction

Georgia

Counties

- Athens-Clarke County
- DeKalb County
- Douglas County
- Fulton County

Cities

- Athens
- Atlanta

Hawaii

Cities

- City of Honolulu

Idaho

Cities

- City of Boise

Illinois

State

- Self-Identification as a State Sanctuary Jurisdiction

Counties

- Adams County
- Alexander County
- Bond County
- Boone County
- Bureau County
- Calhoun County
- Carroll County
- Cass County
- Champaign County
- Christian County
- Clark County
- Clay County
- Clinton County
- Coles County
- Cook County
- Crawford County
- Cumberland County
- DeKalb County
- De Witt County
- Douglas County
- DuPage County
- Edgar County
- Effingham County
- Fayette County
- Ford County
- Franklin County

- Fulton County
- Gallatin County
- Greene County
- Grundy County
- Hancock County
- Hardin County
- Henderson County
- Henry County
- Iroquois County
- Jackson County
- Jersey County
- Jo Daviess County
- Johnson County
- Kane County
- Kankakee County
- Kendall County
- Knox County
- Lake County
- LaSalle County
- Lawrence County
- Lee County
- Livingston County
- Logan County
- Macon County
- Macoupin County
- Madison County
- Marion County
- Marshall County
- Mason County
- Massac County
- McDonough County
- McLean County
- Mercer County
- Menard County
- Monroe County
- Montgomery County
- Morgan County
- Moultrie County
- Ogle County
- Peoria County
- Perry County
- Piatt County
- Pike County
- Pope County
- Pulaski County
- Putnam County
- Randolph County
- Richland County
- Rock Island County
- St. Clair County
- Saline County
- Sangamon County
- Schuyler County
- Scott County
- Shelby County
- Stark County

- Stephenson County
- Tazewell County
- Union County
- Vermilion County
- Wabash County
- Warren County
- Washington County
- Wayne County
- White County
- Whiteside County
- Will County
- Williamson County
- Winnebago County
- Woodford County

Cities

- Berwyn
- Chicago
- Evanston
- Oak Park Village
- Skokie
- St. Joseph
- Urbana

Indiana

Counties

- Monroe County

Kansas

County

- Lawrence

Cities

- Douglas County

Kentucky

Counties

- Campbell County
- Franklin County
- Jefferson County
- Scott County

Cities

- Louisville

Louisiana

Cities

- New Orleans/Orleans (Parish)

Maine

Counties

- Cumberland County
- Hancock County

Cities

- Portland

Maryland

State

- Self-Identification as a State Sanctuary Jurisdiction

Counties

- Anne Arundel County
- Baltimore County
- Charles County
- Howard County
- Montgomery County
- Prince George's County
- Queen Anne's County
- Talbot County

Cities

- Annapolis
- Baltimore City
- Cheverly
- College Park
- Edmonston
- Greenbelt
- Hyattsville
- Mount Rainier
- Rockville
- Takoma Park

Massachusetts

State

- Self-Identification as a State Sanctuary Jurisdiction

Counties

- Barnstable County
- Berkshire County
- Bristol County
- Dukes County
- Essex County
- Franklin County
- Hampshire County
- Middlesex County
- Nantucket County
- Norfolk County
- Plymouth County
- Suffolk County
- Worcester County

Cities

- Amherst
- Boston
- Cambridge
- Chelsea
- Concord
- Holyoke
- Lawrence
- Newton
- Northampton
- Orleans
- Somerville
- Springfield

Michigan

Counties

- Kalamazoo County
- Kent County
- Oakland County
- Washtenaw County
- Wayne County
- Wexford County

Cities

- Ann Arbor

- East Lansing

Minnesota

State

- Self-Identification as a State Sanctuary Jurisdiction

Counties

- Anoka County
- Carver County
- Cottonwood County
- Goodhue County
- Hennepin County
- Le Sueur County
- Lincoln County
- Lyon County
- Martin County
- Nicollet County
- Nobles County
- Otter Tail County
- Pipestone County
- Ramsey County
- Scott County
- Stearns County
- Steele County
- Todd County
- Watonwan County
- Wright County

Cities

- Minneapolis
- St. Paul

Nebraska

Counties

- Arthur County
- Blaine County
- Grant County
- Greeley County
- Hooker County
- Howard County
- Logan County
- Loup County
- McPherson County
- Thomas County

Nevada

Cities

- Las Vegas City

New Hampshire

Cities

- Hanover
- Lebanon

New Jersey

State

- Self-Identification as a State Sanctuary Jurisdiction

Counties

- Burlington County
- Cumberland County
- Warren County

Cities

- Asbury Park
- Bloomfield
- Camden
- East Orange
- Hoboken
- Jersey City
- Leonia
- Linden
- Maplewood
- Montclair Township
- Newark
- North Bergen
- Paterson
- Plainfield
- Prospect Park
- South Orange
- Trenton
- Union City

New Mexico

Counties

- Bernalillo County
- Chaves County
- Colfax County
- DeBaca County
- Doña Ana County
- Eddy County
- Grant County
- Hidalgo County
- Lincoln County
- Los Alamos County
- Luna County
- McKinley County
- Otero County
- Quay County
- Rio Arriba County
- Roosevelt County
- San Juan County
- San Miguel County
- Sandoval County
- Santa Fe County
- Sierra County
- Socorro County
- Taos County

Cities

- Albuquerque
- Santa Fe

New York

State

- Self-Identification as a State Sanctuary Jurisdiction

Counties

- Albany County
- Dutchess County
- Monroe County
- Orange County
- Putnam County
- Rockland County
- Saratoga County
- Suffolk County
- Sullivan County
- Tompkins County
- Ulster County
- Warren County
- Wayne County
- Westchester County

- Yates County

Cities

- Albany
- Beacon
- East Hampton
- Hudson
- Ithaca
- Kingston
- New Paltz
- New York City
- Newburgh
- Poughkeepsie
- Rochester
- Syracuse

North Carolina

Counties

- Buncombe County
- Chatham County
- Durham County
- Orange County

North Dakota

Counties

- Billings County
- Golden Valley County
- Grant County
- Morton County
- Ramsey County
- Sioux County
- Slope County

Ohio

Counties

- Franklin County
- Lorain County
- Warren County

Cities

- Cincinnati
- Columbus

Oregon

State

- Self-Identification as a State Sanctuary Jurisdiction

Counties

- Clatsop County
- Columbia County
- Harney County
- Klamath County
- Lake County
- Lane County
- Lincoln County
- Linn County
- Marion County
- Multnomah County
- Tillamook County
- Umatilla County
- Union County
- Washington County
- Yamhill County

Cities

- Beaverton
- Eugene
- Hood River
- Portland

Pennsylvania

Counties

- Adams County
- Allegheny County
- Centre County
- Chester County
- Clarion County
- Dauphin County
- Delaware County
- Lehigh County
- Montgomery County
- Montour County
- Northampton County

Cities

- Gettysburg
- Philadelphia
- Pittsburgh

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- State College
- York

Rhode Island

State

- Court Order Requiring State Sanctuary Requirements

Cities

- Central Falls
- Providence

Tennessee

Counties

- Shelby County

Cities

- Nashville

Vermont

State

- Self-Identification as a State Sanctuary Jurisdiction

Cities

- Burlington
- Montpelier
- Winooski

Virginia

Counties

- Albemarle County
- Amherst County
- Arlington County
- Augusta County
- Brunswick County
- Charlotte County
- Chesterfield County
- Dinwiddie County
- Fairfax County

- Gloucester County
- Halifax County
- Hanover County
- Henrico County
- Middlesex County
- Prince William County
- Rappahannock County
- Richmond County
- Tazewell County
- Warren County

Cities

- Abingdon
- Alexandria
- Charlottesville
- Duffield
- Hampton
- Lynchburg
- Manassas
- Martinsville
- Newport News
- Portsmouth
- Richmond
- Tazewell
- Virginia Beach

Washington

State

- Self-Identification as a State Sanctuary Jurisdiction

Counties

- Asotin County
- Benton County
- Chelan County
- Clallam County
- Clark County
- Columbia County
- Cowlitz County
- Ferry County
- Franklin County
- Garfield County
- Grant County
- Grays Harbor County
- Island County
- Jefferson County
- King County
- Kitsap County
- Kittitas County
- Lewis County
- Lincoln County
- Mason County

- Okanogan County
- Pacific County
- Pend Oreille County
- Pierce County
- San Juan County
- Skagit County
- Skamania County
- Snohomish County
- Spokane County
- Stevens County
- Thurston County
- Wahkiakum County
- Walla Walla County
- Whatcom County
- Whitman County

Cities

- City of Everett
- City of Olympia
- City of Tacoma
- Seattle
- Yakima

Wisconsin

Counties

- Dane County
- Shawano County

Cities

- Madison
- Milwaukee

Keywords

IMMIGRATION (/WEB/20250601011927/HTTPS://WWW.DHS.GOV/KEYWORDS/IMMIGRATION) ALIEN (/WEB/20250601011927/HTTPS://WWW.DHS.GOV/KEYWORDS/ALIEN)
BORDER SECURITY (/WEB/20250601011927/HTTPS://WWW.DHS.GOV/KEYWORDS/BORDER-SECURITY)
LAW ENFORCEMENT (/WEB/20250601011927/HTTPS://WWW.DHS.GOV/KEYWORDS/LAW-ENFORCEMENT)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 9

Fed. Emergency Mgmt. Agency, *FY 2025 Homeland Security Grant Program Fact Sheet* (Sept. 12, 2025)

FY 2025 Homeland Security Grant Program Fact Sheet

Release Date: Sep 12, 2025

Download a PDF copy of this webpage.

In Fiscal Year (FY) 2025, the U.S. Department of Homeland Security (DHS) is providing $1.008 billion to enhance the ability of state, local, tribal and territorial governments to prevent, prepare for, protect against, and respond to potential terrorist acts and other hazards.

Overview

The FY 2025 Homeland Security Grant Program (HSGP) supports the DHS/Federal Emergency Management Agency's (FEMA) focus on enhancing the ability of state, local, tribal and territorial governments, as well as nonprofit organizations, to prevent, prepare for, protect against, and respond to potential terrorist attacks. These grant programs are part of a comprehensive set of measures authorized by Congress and implemented by DHS to help strengthen the nation's communities against potential terrorist attacks and other hazards. HSGP is composed of three grant programs:

- State Homeland Security Program (SHSP);
- Urban Area Security Initiative (UASI); and
- Operation Stonegarden (OPSG).

Funding

In FY 2025, the total amount of funds under the HSGP is $1.008 billion. Below is the funding distribution across the three grant programs:

HSGP Program	FY 2025 Allocation

SHSP	$373.5 million
UASI	$553.5 million
OPSG	$81 million
Total	$1,008,000,000

Eligibility

The State Administrative Agencies (SAAs) are the only entities eligible to submit HSGP applications to FEMA, including those applications submitted on behalf of UASI and OPSG applicants. All 56 states and territories, which includes any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, are eligible to apply for SHSP funds. Tribal governments may not apply directly for HSGP funding. However, funding may be available to Tribal Nations through the SAA.

Eligible high-risk urban areas for the FY 2025 UASI program are determined through an analysis of the relative risk of terrorism faced by the 100 most populous metropolitan statistical areas (MSAs) in the United States. Sub-awards will be made by the SAA to the designated high-risk urban areas identified in the FY 2025 HSGP Notice of Funding Opportunity (NOFO).

In FY 2025, OPSG eligible subrecipients are local units of government at the county level or equivalent level of government and federally recognized tribal governments in states bordering Canada or Mexico and states and territories with international water borders. All applicants must have active ongoing U.S. Border Patrol (USBP) operations coordinated through a U.S. Customs and Border Protection (CBP) sector office to be eligible for OPSG funding.

Under the FY 2025 OPSG, subrecipients eligible to apply for and receive a sub-award directly from the SAA are divided into three tiers.

- Tier 1 entities are local units of government at the county level or equivalent and federally recognized tribal governments in states physically bordering

Canada and Mexico, as well as states and territories with international water borders.
- Tier 2 eligible subrecipients are those not located on the physical border or international water border but are contiguous to a Tier 1 county.
- Tier 3 eligible subrecipients are those not located on the physical border or international water border but are contiguous to a Tier 2 eligible subrecipient.

The tier structure is only applicable with regard to eligibility. OPSG funding allocations are based on the assessed border security risks as determined by the USBP.

Funding Guidelines

The FY 2025 allocation process for SHSP, UASI and OPSG are as follows:

SHSP Allocations

FEMA will award SHSP funds based on risk as determined by FEMA's relative risk methodology and statutory minimums pursuant to the *Homeland Security Act of 2002*, as amended.

UASI Allocations

For FY 2025, FEMA will award UASI funds based on risk as determined by FEMA's relative risk methodology pursuant to the *Homeland Security Act of 2002*, as amended. Final allocations are published in the FY 2025 HSGP NOFO.

OPSG Allocations

FEMA will award OPSG funds based on risk and the anticipated effectiveness of the proposed use of grant funds. The FY 2025 OPSG risk assessment is designed to identify the risk to border security and to assist with the distribution of funds for the grant program. Entities eligible for funding are the state, local, tribal and territorial law enforcement agencies positioned to strengthen the United States border security.

The SHSP, UASI and OPSG allocations published in the FY 2025 HSGP NOFO are target allocations pending final decisions by the Department of Homeland Security. These target allocations act as an estimate, and the final allocations may

be different in the award letter.

Pass-Through Requirements

SAAs are required to pass-through at least 80% of SHSP and UASI funding to local or tribal units of government. For more information on the pass-through requirement, please refer to Sections 2.E, 8.A, and 8.B of the FY 2025 HSGP NOFO.

National Priority Areas (NPAs) for SHSP AND UASI and Minimum Spend Requirements

There are five NPAs for FY 2025, different from the six NPAs in FY 2024. The required overall minimum spend on the FY 2025 NPAs for the SHSP and UASI programs remains consistent with the FY 2024 requirement: 30% as a percentage of the total SHSP and UASI allocation. Each SHSP and UASI applicant must dedicate 3% as a percentage of the total SHSP allocation toward the Enhancing Election Security NPA. Each SHSP and UASI applicant must dedicate 10% as a percentage of the total SHSP and UASI allocation toward the Supporting Border Crisis Response and Enforcement NPA. For the NPAs with no minimum spend requirements, DHS strongly encourages recipients to make investments in those areas. **As noted above, the Enhancing Election Security NPA maintains a 3% minimum spend requirement, and the Supporting Border Crisis Response and Enforcement NPA includes a 10% minimum spend requirement, but there is flexibility on the remaining 17% required to meet the overall 30% minimum spend requirement for the NPAs.**

The five NPAs, along with the relevant minimum spend percentage, are:

1. Enhancing the protection of soft targets/crowded places – no minimum spend;
2. Supporting Homeland Security Task Forces and Fusion Centers – no minimum spend;
3. Enhancing and integrating cybersecurity resiliency – no minimum spend;
4. Enhancing election security – at least 3% minimum spend; and
5. Supporting Border Crisis response and enforcement – at least 10% minimum spend.

For NPAs with associated minimum spends, **all projects related to meeting the minimum spend for that NPA must be included in the same Investment Justification (IJ).** Activities that support more than one NPA may be included under only one NPA IJ but still count toward the 30% minimum spend without having to be broken out into separate projects or activities in more than one IJ. Details on the FY 2025 HSGP allocation process are included in the FY 2025 HSGP NOFO.

Law Enforcement Terrorism Prevention Activities Minimum Spend Requirement

SHSP and UASI recipients must allocate a minimum of 35% of their total SHSP and UASI funding toward Law Enforcement Terrorism Prevention Activities (LETPA), the same as in FY 2024. Please refer to Section 2.E of the FY 2025 HSGP NOFO for additional guidance and information on allowable LETPAs. Investments that support LETPAs can also support an NPA (e.g., an investment can be counted as supporting both the Soft Targets/Crowded Places and LETPA minimum allocation requirements, if applicable). The LETPA minimum spend requirement for SHSP and UASI can include NPA and non-NPA projects.

Application Process

Applying for an award under the HSGP is a multi-step process. Applicants (SAAs only) are encouraged to register early in the System for Award Management (SAM.gov) and the FEMA Grants Outcomes (FEMA GO) system, as the registration process can take four weeks or more to complete. Registration should be done in sufficient time to ensure it does not impact your ability to meet required submission deadlines. Please refer to Section 5 in the FY 2025 HSGP NOFO for detailed information and instructions.

All application materials will be posted on Grants.gov. Eligible applicants should submit their application through FEMA GO. For FEMA GO support, applicants should contact FEMAGO@fema.dhs.gov or (877) 585-3242, Monday-Friday from 9 a.m. - 6 p.m. ET.

Completed applications must be submitted in the FEMA GO system no later than 5 p.m. ET on Aug. 15, 2025.

HSGP Resources

There are a variety of resources available to address programmatic, technical and financial questions, which can assist with HSGP applications:

- The FY 2025 HSGP NOFO is available online at www.fema.gov/grants as well as www.grants.gov.
- The FY 2025 Preparedness Grants Manual is available online at www.fema.gov/grants.
- For additional program-specific information, please contact FEMA Grants News at (800) 368-6498 or fema-grants-news@fema.dhs.gov. FEMA Grants News hours of operation are from 9 a.m. - 5 p.m. ET, Monday through Friday.
- For support regarding financial grants management and budgetary technical assistance, applicants may contact the FEMA Award Administration Help Desk via email at ASK-GMD@fema.dhs.gov.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 10

Fed. Emergency Mgmt. Agency, *Fiscal Year 2025 Preparedness Grant Final Allocations* (Sept. 29, 2025)

Fiscal Year 2025 Preparedness Grant Final Allocations

September 29, 2025

FEMA

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Agenda

1. Funding summary
2. Overview of Fiscal Year (FY) 2025 awards/allocations for competitive and allocative programs

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Funding Summary

Embargoed

Grant Program Funding Summary: *Allocated Programs*

Grant Program	FY 2024 Funding	FY 2025 Funding	Delta
State Homeland Security Program	$373,500,000	$373,500,000	$0
Urban Area Security Initiative	$553,500,000	$553,500,000	$0
Operation Stonegarden	$81,000,000	$81,000,000	$0
Transit Security Grant Program	$83,700,000	$83,700,000	$0
Regional Catastrophic Preparedness Grant Program	$10,800,000	$10,800,000	$0
Nonprofit Security Grant Program	$454,500,000*	$274,500,000	($180,000,000)
Intercity Passenger Rail Program	$9,000,000	$9,000,000	$0
Total	**$1,566,000,000**	**$1,386,000,000**	**($180,000,000**

*Includes $180 million from the National Security Supplemental (Israel Security Supplemental Appropriations Act, 2024) added to the FY 2024 program.

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Grant Program Funding Summary: *Competitive Programs*

Grant Program	FY 2024 Funding	FY 2025 Funding	Delta
Port Security Grant Program	$90,000,000	$90,000,000	$0
Tribal Homeland Security Grant Program	$13,500,000	$13,500,000	$0
Intercity Bus Security Grant Program	$1,800,000	$1,800,000	$0
Total	$105,300,000	$105,300,000	$0

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Changes to Non-Disaster Grant Programs

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Change in Period of Performance Duration

- FEMA is implementing the Period of Performance timeframe for the **Emergency Food and Shelter Program**, **Emergency Management Performance Grant**, and the **Homeland Security Grant Program** to be for one (1) year rather than the standard three (3) years.
  - The Period of Performance will be October 1, 2025 through September 30, 2026 for these three programs.

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Application of Immigration Condition

- To comply with the President's Executive Orders and in alignment with the Administration's priorities, FEMA is applying an immigration term and condition to the below programs:
  - Emergency Management Performance Grant Program
  - Homeland Security Grant Program (limited to the State Homeland Security Program and Urban Area Security Initiative)
  - Transit Security Grant Program
  - Port Security Grant Program
  - Regional Catastrophic Preparedness Grant Program
  - Homeland Security National Training Program – Continuing Training Grants (Competitive)
  - Targeted Violence and Terrorism Prevention Grant Program
  - Detention Support Grant Program

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Impact of Injunction Orders

- The immigration condition will not apply to any of the plaintiffs in *San Francisco v. Trump* or in *State of Illinois v. Federal Emergency Management Agency* while the injunction orders remain in effect.
- If the injunctions are stayed, vacated, or extinguished, the "Compliance with Federal Immigration Law" Agreement Article will immediately become effective.

Application of Immigration Condition *continued*

- An immigration Term and Condition will be applied to each award and will be different depending on program statute.
- For statutory formula programs such as the **Emergency Management Performance Grant Program**, the Term and Condition will only apply to subawards.
  - Recipients will be prohibited from subawarding to a subrecipient that is designated as a sanctuary jurisdiction.
  - Payments will not be approved for any subrecipient that is not in compliance with the immigration term and condition.
- For the State Homeland Security Program, the Term and Condition will apply to funding above the minimum allocation required by law. Subawards will be addressed the same as with EMPG.
- For Operation Stonegarden, there were no changes to the allocations because of the immigration condition. The immigration Term and Condition does not apply to this sub-program.
- For the Urban Area Security Initiative sub-program, non-compliant jurisdictions will not receive any funding.

All of this is subject to the Impact of Injunction Orders described on the previous slide.

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Application of Immigration Condition *continued*

- For programs such as the **Transit Security Grant Program** and the **Port Security Grant Program**, funding has been distributed to compliant jurisdictions.
  - Payments will not be approved for any recipient that is not in compliance with the immigration term and condition.
- For programs such as the **Regional Catastrophic Preparedness Grant Program**, **Homeland Security National Training Program – CTG**, **Targeted Violence and Terrorism Prevention Program**, and **Detention Support Grant Program**, funding has been (or will about to be) distributed to entities.
  - Payments will not be approved for any recipient that is not in compliance with the immigration term and condition.

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FY 2025 Allocated Programs

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FY 2025 State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI)

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FY 2025 SHSP Grant Highlights

Grants Highlights

	FY 2024	FY 2025
Total Funding	$373,500,000	$373,500,000
Period of Performance	3 years	1 year
Applications Received	56 of 56 eligible states and territories	56 of 56 eligible states and territories
Amount Requested	$373,500,000	$373,500,000
Eligible Applications Advancing to Federal Review	56	56
Applications Recommended for Funding Approval	56	56

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FY 2025 SHSP Final Allocations

State/Territory	FY 2025 Total Allocation
Alabama	$6,000,629
Alaska	$6,000,629
American Samoa	$2,635,078
Arizona	$7,362,750
Arkansas	$6,000,628
California	$17,156,754
Colorado	$4,362,750
Connecticut	$4,362,750
Delaware	$4,362,750
District of Columbia	$4,362,750
Florida	$18,395,245
Georgia	$9,362,750
Guam	$2,748,028
Hawaii	$6,000,629
Idaho	$6,000,629
Illinois	$4,362,750

State/Territory	FY 2025 Total Allocation
Indiana	$6,000,629
Iowa	$6,000,629
Kansas	$6,000,629
Kentucky	$6,000,629
Louisiana	$8,362,750
Maine	$6,000,629
Maryland	$6,000,629
Massachusetts	$6,000,629
Michigan	$6,000,629
Minnesota	$4,362,750
Mississippi	$6,000,629
Missouri	$6,000,629
Montana	$6,000,629
Nebraska	$6,000,629
Nevada	$4,362,750
New Hampshire	$6,000,629

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FY 2025 SHSP Final Allocations *continued*

State/Territory	FY 2025 Total Allocation
New Jersey	$6,000,629
New Mexico	$8,362,750
New York	$5,624,924
North Carolina	$6,862,750
North Dakota	$6,000,629
Northern Mariana Islands	$2,635,078
Ohio	$7,862,750
Oklahoma	$6,000,629
Oregon	$4,362,750
Pennsylvania	$11,362,750
Puerto Rico	$6,000,629
Rhode Island	$4,362,750
South Carolina	$6,000,629

State/Territory	FY 2025 Total Allocation
South Dakota	$6,000,629
Tennessee	$6,000,629
Texas	$28,759,327
U.S. Virgin Islands	$2,635,078
Utah	$6,000,628
Vermont	$4,362,750
Virginia	$11,362,750
Washington	$4,362,750
West Virginia	$6,000,629
Wisconsin	$6,000,629
Wyoming	$6,000,628
Total	$373,500,000

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FY 2025 UASI Grant Highlights

Grants Highlights

	FY 2024	FY 2025
Total Funding	$553,500,000	$553,500,000
Period of Performance	3 years	1 year
Applications Received	41 of 41 eligible urban areas	44 of 44 eligible urban areas
Amount Requested	$553,500,000	$553,500,000
Applications Recommended for Funding Approval	41	42

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FY 2025 UASI Final Allocations

State	UASI	FY 2025 Total Allocation
Arizona	Phoenix-Mesa-Chandler, AZ	$21,938,710
California	Los Angeles-Long Beach-Glendale, CA	$18,225,738
	Riverside-San Bernardino-Ontario, CA	$9,871,108
	Sacramento-Roseville-Folsom, CA	$8,849,145
	San Diego-Chula Vista-Carlsbad, CA	$32,539,049
	San Francisco-San Jose-Oakland, CA	$13,209,319
	Anaheim-Santa Ana-Irvine, CA	$10,779,442
Colorado	Colorado Springs, CO	$11,593,673
	Denver-Aurora-Lakewood, CO	$7,133,196
District of Columbia	Washington-Arlington-Alexandria, DC-VA-MD-WV	$4,416,737
Florida	Jacksonville, FL	$12,895,846
	Orlando-Kissimmee-Sanford, FL	$14,441,343
	Tampa-St. Petersburg-Clearwater, FL	$16,559,720
	Miami-Fort Lauderdale-Pompano Beach, FL	$27,952,695
Georgia	Atlanta-Sandy Springs-Alpharetta, GA	$9,372,418
Hawaii	Honolulu, HI	$16,694,331
Illinois	Chicago-Naperville-Elgin, IL-IN-WI	$9,395,829
Indiana	Indianapolis-Carmel-Anderson, IN	$10,111,002
Louisiana	New Orleans-Metairie, LA	$0
Maryland	Baltimore-Columbia-Towson, MD	$9,328,784

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FY 2025 UASI Final Allocations *continued*

State	UASI	FY 2025 Total Allocation
Massachusetts	Boston-Cambridge-Newton, MA-NH	$9,301,839
Michigan	Detroit-Warren-Dearborn, MI	$14,114,393
Minnesota	Minneapolis-St. Paul-Bloomington, MN-WI	$2,973,810
Missouri	St. Louis, MO-IL	$10,708,725
	Kansas City, MO-KS	$8,277,511
Nevada	Las Vegas-Henderson-Paradise, NV	$10,954,761
New Jersey	Newark-Jersey City-New Brunswick, NJ-PA	$3,768,628
New York	New York-White Plains, NY	$22,069,395
North Carolina	Charlotte-Concord-Gastonia, NC-SC	$14,200,846
Ohio	Cincinnati, OH-KY-IN	$10,143,274
	Cleveland-Elyria, OH	$12,657,878
	Columbus, OH	$10,092,726
Oregon	Portland-Vancouver-Hillsboro, OR-WA	$8,841,357
Pennsylvania	Philadelphia-Camden-Wilmington, PA-NJ-DE-MD	$0
	Pittsburgh, PA	$12,305,323
Tennessee	Nashville-Davidson--Murfreesboro--Franklin, TN	$12,131,222
Texas	Austin-Round Rock-Georgetown, TX	$11,980,549
	Dallas-Fort Worth-Arlington, TX	$25,028,168
	Houston-The Woodlands-Sugar Land, TX	$23,218,292
	San Antonio-New Braunfels, TX	$16,801,644
Virgina	Richmond, VA	$11,804,103
	Virginia Beach-Norfolk-Newport News, VA-NC	$11,681,381
Washington	Seattle-Tacoma-Bellevue, WA	$11,782,120
Wisconsin	Milwaukee-Waukesha, WI	$13,353,970
Total		$553,500,000

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FY 2025 Operation Stonegarden (OPSG)

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FY 2025 Operation Stonegarden Grants Highlights

Grant Highlights

	FY 2024	FY 2025
Period of Performance	3 years	1 year
Total Funding	$81,000,000	$81,000,000
Applications Received	23 of 24 eligible states and territories	24 of 24 eligible states and territories
Amount Requested	$81,000,000	$81,000,000
Eligible Applications Advancing to Federal Review	23	24
Applications Recommended for Funding Approval	23	24

FY	Counties Funded
2018	175
2019	201
2020	208
2021	213
2022	209
2023	219
2024	214
2025	229

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FY 2025 Operation Stonegarden Final Allocations

State	FY 2025 Final Allocation
Alabama	$350,000
Alaska	$750,000
Arizona	$12,220,000
California	$12,100,000
Florida	$2,790,000
Georgia	$90,000
Idaho	$180,000
Louisiana	$810,000
Maine	$1,410,000
Michigan	$2,286,000
Minnesota	$972,000
Mississippi	$575,000

State	FY 2025 Final Allocation
Montana	$1,672,000
New Hampshire	$200,000
New Mexico	$2,675,000
New York	$2,670,000
North Dakota	$1,542,000
Ohio	$825,000
Pennsylvania	$170,000
Puerto Rico	$1,330,000
Texas	$33,708,000
U.S. Virgin Islands	$90,000
Vermont	$150,000
Washington	$1,435,000

Border Region	FY 2025 % of Funding	FY 2025 Funding Level
Southwest	73%	$60,703,000
Northern	18%	$14,262,000
Coastal	9%	$6,035,000

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FY 2025 Transit Security Grant Program (TSGP)

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FY 2025 TSGP Grant Highlights

Grants Highlights

	FY 2024	FY 2025
Total Funding	$83,700,000	$83,700,000
Applications Received	42 (140 projects)	21 of 25 eligible public transit agencies
Amount Requested	$365,523,994	$83,700,000
Eligible Applications Advancing to Federal Review	42	21
Applications Recommended for Funding Approval	17	20

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FY 2025 TSGP - Recap

- Of the 25 eligible transit agencies identified in the FY 2025 TSGP NOFO, 21 agencies applied. The four (4) agencies that did not apply were:
  - King County DOT (located within Washington State)
  - Los Angeles County Metro (located within California)
  - Minneapolis Metro (located within Minnesota)
  - Tri-County Metro (located within Oregon)
- Of the 21 agencies that applied, one (1) was not selected because it is based in a Sanctuary Jurisdiction city.
  - NYC Metropolitan Transit Authority

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FY 2025 TSGP Final Allocations

State	Transit Agencies 2025	FY 2025 Final Allocation
California	Alameda Contra Costa Transit District (AC Transit)	$647,897
	Los Angeles County Metropolitan Transportation	Did not apply
	Orange County Transportation Authority (OCTA)	$431,327
	San Diego Metropolitan Transit System (MTS)	$715,014
	San Francisco Bay Area Rapid Transit District (BART)	$932,522
	San Francisco Municipal Railway (MUNI)	$3,066,376
Colorado	Denver Regional Transportation District	$623,092
Connecticut	Connecticut Department of Transportation	$510,146
District of Columbia	Washington Metropolitan Area Transit Authority (WMATA)	$16,888,345
Florida	Miami-Dade Transit Agency	$627,835
Georgia	Metropolitan Atlanta Rapid Transit Authority (MARTA)	$3,062,472
Illinois	Chicago Transit Authority (CTA)	$15,701,113
	Northeast Illinois Commuter Railroad Corporation (METRA)	$688,589
Massachusetts	Massachusetts Bay Transportation Authority (MBTA)	$13,912,399
Maryland	Maryland Transit Administration (MD MTA)	$1,230,724
Minnesota	Minneapolis Metro Transit	Did not apply
New Jersey	New Jersey Transit Corporation	$8,571,538
	Port Authority of NY & NJ (PANYNJ)	$4,304,090
Nevada	Regional Transportation Commission of Southern Nevada	$547,174
New York	Metropolitan Transportation Authority (MTA)	$0
Oregon	Tri-County Metropolitan District of Oregon (Tri-Met)	Did not apply
Pennsylvania	Southeastern Pennsylvania Transportation Authority	$9,823,668
Texas	Dallas Area Rapid Transit (DART)	$436,711
	Metropolitan Transportation Authority of Harris County	$978,968
Washington	King County Department of Transportation	Did not apply
Total		$83,700,000

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FY 2025 Regional Catastrophic Preparedness Grant Program (RCPGP)

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FY 2025 RCPGP Grant Highlights

Grants Highlights

	FY 2024	FY 2025
Total Funding	$10,800,000	$10,800,000
Eligible Applications Received and Reviewed	16	6
Amount Requested	$28,860,999	$10,800,000
Applications Recommended for Funding Approval	6	6

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FY 2025 RCPGP Final Allocations

State	Final FY 2025 Allocations
Alaska	$1,800,000
California	$1,800,000
Colorado	$1,800,000
Florida	$1,800,000
North Carolina	$1,800,000
Texas	$1,800,000
Total	$10,800,000

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FY 2025 Competitive Programs

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FY 2025 Port Security Grant Program (PSGP)

Embargoed

FY 2025 PSGP Grant Highlights

Grants Highlights

	FY 2024	FY 2025
Total Funding	$90,000,000	$90,000,000
Applications Received	466	472
Amount Requested	$267,041,129	$275,853,631
Eligible Applications Advancing to Federal Review	407	376
Amount Requested by Applications Advancing to Federal Review	$234,982,147	$178,345,902
Applications Recommended for Funding Approval	204	240

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FY 2025 PSGP Final Allocations

State/Territory	FY 2025 Total Allocation	Total No. Of Awards
Alabama	$2,029,178	4
Alaska	$709,340	1
Arkansas	$95,431	1
California	$14,930,616	34
Connecticut	$2,236,189	8
Delaware	$1,316,657	4
Florida	$5,899,793	11
Georgia	$2,872,801	2
Guam	$1,086,548	2
Hawaii	$130,289	1
Illinois	$1,564,500	6
Indiana	$555,502	6
Iowa	$532,882	2

State/Territory	FY 2025 Total Allocation	Total No. Of Awards
Kentucky	$1,460,438	8
Louisiana	$6,567,264	19
Maryland	$1,961,513	5
Massachusetts	$3,299,366	9
Michigan	$40,653	1
Minnesota	$549,925	3
Mississippi	$241,040	1
Missouri	$812,177	5
New Hampshire	$117,812	1
New Jersey	$2,288,808	13
New York	$8,728,655	21
North Carolina	$2,121,252	8
Ohio	$263,678	3

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FY 2025 PSGP Final Allocations, Cont'd

State/Territory	FY 2025Total Allocation	Total No. Of Awards
Oklahoma	$185,997	1
Oregon	$245,005	2
Pennsylvania	$817,943	4
Puerto Rico	$337,469	1
Rhode Island	$720,000	1
South Carolina	$1,952,379	6
Tennessee	$1,338,986	2
Texas	$14,054,873	21
Virginia	$3,030,079	14
Washington	$4,150,851	6
West Virginia	$20,850	1
Wisconsin	$729,422	2
Total	$89,996,161	240

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 11

Illinois Fiscal Year 2025 HSGP Award Letter

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 09/26/2025

FEMA

Bob Evans
ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY
2200 SOUTH DIRKSEN PARKWAY
SPRINGFIELD, IL 62703

EMW-2025-SS-05059

Dear Bob Evans,

Congratulations on behalf of the Department of Homeland Security, your application submitted for the Fiscal Year (FY) 2025 Homeland Security Grant Program, has been approved in the amount of $13,758,579.00 in Federal funding. This award of federal assistance is executed as a Grant.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Award Summary - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- Fiscal Year (FY) 2025 Homeland Security Grant Program (HSGP) Notice of Funding Opportunity
- The Preparedness Grant Manual (PGM)

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

Stacey Street
Deputy Assistant Administrator
Grants Program Directorate

Award Summary

Program: Fiscal Year 2025 Homeland Security Grant Program
Recipient: ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY
UEI-EFT: JLCNDRM34JD5
Award number: EMW-2025-SS-05059

Summary description of award

The Fiscal Year (FY) 2025 Homeland Security Grant Program (HSGP) is one of three grant programs that constitute the DHS/FEMA focus on enhancing the ability of state, local, tribal, and territorial governments, as well as nonprofits, to prevent, protect against, respond to, and recover from terrorist attacks. These grant programs are part of a comprehensive set of measures authorized by Congress and implemented by DHS to help strengthen the Nation's communities against potential terrorist attacks. Among the five basic homeland security missions noted in the DHS Strategic Plan, the HSGP supports the goal to Strengthen National Preparedness and Resilience.

Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	$1,285,853.75
Fringe benefits	$204,369.25
Travel	$10,000.00
Equipment	$0.00
Supplies	$1,000.00
Contractual	$12,257,356.00
Construction	$0.00
Other	$0.00
Indirect charges	$0.00
Federal	$13,758,579.00
Non-federal	$0.00
Total	$13,758,579.00
Program Income	$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2025 HSGP NOFO.

Approved request details:

Investment

~~Hiring or maintaining staff positions/contractors/consultants at SLTT levels to deliver community preparedness training, resources and material to schools, community-based organizations, faith-based institutions and local businesses~~

Ineligible

DESCRIPTION

STIC Cyber Security Intelligence Program/Cyber Security. Statewide Terrorism & Intelligence Centers (STICs) mission is provide timely, effective, and actionable intelligence information to federal, state, and local law enforcement partners 24/7/365 in order to enhance public safety, facilitate communication between agencies, and provide support in the fight against terrorism and criminal activity. Western Illinois University (WIU) partners with STIC by providing the personnel for the public safety outreach programs. These public safety programs partner with the private sector, emergency managers, law enforcement, school resource officers, administrators, and those responsible for overall school safety. These partners can work with the program managers and request and provide information as it relates to suspicious activity and threats. The program managers shares threat-related information to these partners as it relates to physical and cyber

QUANTITY	UNIT PRICE	TOTAL
1	$259,000.00	$259,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Item marked **ineligible**

JUSTIFICATION

adjusted to award amount

~~Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation)~~

Ineligible

DESCRIPTION

Illinois State Police/STIC will utilize the Homeland Security Grant Program funding to fund the salaries of Resource Specialists within STIC. These analysts will distribute information throughout the state to include all homeland security and public safety partners. The STIC shares threat-related information to these partners as it relates to physical and cyber critical infrastructure and provides information and resources on how to prevent, detect, deter, mitigate, and respond to these threats. Funding is also used to support the overall operation of the center and equipment acquisition to ensure that communication and coordination needs are met.

QUANTITY	UNIT PRICE	TOTAL
1	$301,513.00	$301,513.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Item marked **ineligible**

JUSTIFICATION

adjusted to award amount

Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation)

DESCRIPTION

The Grantee shall use federal funding to pay salaries of one Jail and Corrections Intelligence Officer (JCIO) and one Cyber Intelligence Officer (CSIO) within the STIC for 12 months. This employees will be responsible for identifying information needs of law enforcement and exploring ways to use information gathered by jail and correctional facilities to prevent terrorist attacks and other criminal behavior. The JCIO will explore links between prisoner radicalization and terrorism, gangs, and other criminal behavior. The equipment will be utilized to collect and correlate information from the various computer and database systems used by different counties and the Illinois. Cybersecurity Intelligence Officer (CSIO) will be assigned to the STIC and serve as a subject matter expert and point of contact for highly trained cyber analysts to identify and analyze malicious internet traffic. The CSIO will be responsible for sharing information from various sources to prevent cyber terrorism, exposing potential vulnerabilities in computer systems, providing guidance on performing fixes and solutions to cyber intrusions, and collecting information necessary to assist in identification and criminal prosecution of cyber hackers and offenders.

QUANTITY	UNIT PRICE	TOTAL
1	$78,000.00	$78,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$92,750.00** to **$78,000.00**

JUSTIFICATION

adjusted to award amount

Regional counterterrorism training programs for small, medium, and large jurisdictions to exchange information and discuss the current threat environment, lessons learned, and best practices to help prevent, protect against, and mitigate acts of terrorism

DESCRIPTION

Illinois Law Enforcement Training and Standards Board (ILETSB) through Western Illinois University (WIU) will continue to sustain the Intelligence Gathering and Information Sharing, Training and Exercise Program through information and intelligence sharing planning workshops and active threat end-user courses that provide a coordinated statewide active threat response protocol. ILETSB is the state agency mandated to promote and maintain a high level of professional standards for law enforcement and corrections officers. Its purpose is to promote and protect citizen health, safety and welfare by encouraging municipalities, counties, park districts, State-controlled universities, colleges, public community colleges and other local governmental agencies of Illinois and participating state agencies in their efforts to upgrade and maintain a high level of training and standards for law enforcement. The ILETSB Executive Institute at Western Illinois University is the sub-recipient that oversees the Homeland Security Training and Exercise Program. ILETSB oversees the Mobile Team In-Service Training Units (MTU) that are geographically placed throughout Illinois serving all 102 counties. MTUs are formed by a combination of units of local government to deliver in-service training to local and state law enforcement officers. They are a not-for-profit governmental entity directed and administered by an advisory board composed of local elected officials, local criminal justice administrators and the Director of the ILETSB. Their purpose is to encourage local and state law enforcement officers to upgrade their knowledge and skills in techniques pertinent to the law enforcement profession; to provide law enforcement officers with training opportunities within their own locality, and on flexible schedules; and to provide quality training on topics of instruction centered on specific local needs. There are 13 of these regional in-service MTUs throughout Illinois.

QUANTITY	UNIT PRICE	TOTAL
1	$137,000.00	$137,000.00

BUDGET CLASS

Contractual

Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation)

DESCRIPTION

The Grantee shall use federal funding to pay salaries of one Jail and Corrections Intelligence Officer (JCIO) within the STIC for 12 months. This employees will be responsible for identifying information needs of law enforcement and exploring ways to use information gathered by jail and correctional facilities to prevent terrorist attacks and other criminal behavior. The JCIO will explore links between prisoner radicalization and terrorism, gangs, and other criminal behavior. The equipment will be utilized to collect and correlate information from the various computer and database systems used by different counties and will be assigned to the STIC and serve as a subject matter expert and point of contact for highly trained cyber analysts to identify and analyze malicious internet traffic. The CSIO will be responsible for sharing information from various sources to prevent cyber terrorism, exposing potential vulnerabilities in computer systems, providing guidance on performing fixes and solutions to cyber intrusions, and collecting information necessary to assist in identification and criminal prosecution of cyber hackers and offenders

QUANTITY	UNIT PRICE	TOTAL
1	$56,750.00	$56,750.00

BUDGET CLASS

Contractual

Investment

Operational support

DESCRIPTION

On Scene Resource Tracking Tool for resources facilitated with the assistance of Illinois Emergency Services Management Association (IESMA). Projects included are: Continued and improved tracking of all resources; improve situational awareness of deployed resources; Site visits and inspections; and implement training programs to enhance resource typing and comprehensive resource management. This supports a risk driven capability throughout the State of Illinois. This project assists with enhancing and sustaining the capacity to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other disasters.

QUANTITY	UNIT PRICE	TOTAL
1	$15,000.00	$15,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$125,000.00** to **$15,000.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Operational support

DESCRIPTION

This project supports statewide law enforcement mutual aid for over 900 LE agencies. LE requests for emergency assistance require the ability to manage and track resources. Stricken agencies make requests for assistance from the field or from dispatch centers. The effectiveness of the mutual aid system is constantly assessed. This grant supports operations at Northwest Central Dispatch and Peoria Emergency Communications, which serve as primary and backup dispatch points. ILEAS collaborated with representatives of the entire LE community when developing this system. By coordinating with multiple agencies across the state, ILEAS is able to support in field deployments and coordination; as well as facilitating regional planning, training and mutual aid exercises. Unique software has been developed and is constantly being maintained and improved. The software tracks every available LE (and many non-LE) asset both for emergency response and special event planning. the software is utilized to track all deployed equipment, mutual aid special teams staffing, training and exercises as well as tracking the costs for mutual aid responses

QUANTITY	UNIT PRICE	TOTAL
1	$477,630.00	$477,630.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$477,689.00** to **$477,630.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Training workshops and conferences

DESCRIPTION

Training and Awareness-ILEAS already prioritizes training for all the subjects listed in the NOFO with regard to training. During the performance period of this grant, ILEAS will continue to bring federal and state level training to local law enforcement on all listed priorities. Law Enforcement Mutual Aid -Illinois has determined that the maintenance of its robust mutual aid networks is a homeland security priority. ILEAS is one of the two primary mutual aid response and preparedness organizations in Illinois and is the only statewide system available. With regard to this grant application, ILEAS will continue to train law enforcement in how to request, manage and respond to mutual aid situations. Collaboration: Hundreds of agencies that are part of ILEAS statewide and regional teams can use the ITC at no cost for terrorism and associated training. Several hundred agencies participate in the regional teams, also bringing advanced training into the field for nearly 600 officers on these teams. ILEAS will train specialized teams to address the various Investment Justifications (IJ), local law enforcement through the efforts of the RPCs and by making the ITC available to all public safety for classroom and scenario training to address the IJs.

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$906,176.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Interoperable Communications Equipment

DESCRIPTION

When an incident occurs (terrorist attack, large special events, disasters/emergencies) where there is a multidisciplinary and jurisdictional response, establishing interoperable voice communications and technology is imperative for a successful mission. This grant supports the establishment, maintenance and enhancement of such a system. The focus of ILEAS interoperable communications responsibilities include, but are not limited to, the provision of: Maintaining caches of radios on all bands that have been programmed to state and federal interoperable emergency frequencies. These caches are available to be deployed statewide when there is an incident where a variety of response agencies have responded that do not have common operating frequencies. - Managing a fleet of communications and command vehicles that are strategically located throughout the State. - Development, maintenance and oversight of teams of local public safety officials to staff those vehicles and deploy the radio caches. - Pay for radio user licenses and satellite air time as necessary. -Provide planning, training and exercise for the communications function for field responses to any type of incident. -Provide for the establishment of field deployable information technology to support public safety responses -Staff to manage the interoperable communications and technology program All activities align with needs identified in their Statewide Communication Interoperability Plan (SCIP).

QUANTITY	UNIT PRICE	TOTAL
1	$2.00	$2.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$225,232.00** to **$2.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Preparedness training for community preparedness initiatives and programs

DESCRIPTION

The Illinois Fire Service Institute (IFSI) will utilize the Homeland Security Grant Program funding to provide full spectrum National Incident Management Systems/Incident Command Systems (NIMS/ICS) training to 1st Responders throughout Illinois. These training programs provide full spectrum comprehensive training & education to ensure local, state, and regional all hazards/ all-threat response preparedness for all types of incidents---terrorism, natural disasters & accidents---regardless of size or scope. These training and education programs support the Illinois Homeland Security Advisory County (IL-HSAC) Homeland Security Grant Program priorities and eligibility framework, IL THIRA/SPR, IL Homeland Security Strategy, the NPG & the concept of whole community preparedness & response, enabling an integrated & comprehensive response to any known or unknown threat at the local, state, & regional levels. During the grant execution period, these programs will train 1,348 NIMS/ICS personnel. The budget includes; payroll/fringe for instructor personnel, travel costs for planning/delivery of courses (hotel, mileage, per diem, etc.), and materials/supplies/services/equipment necessary for course delivery---classroom & hands-on training

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$1,370,969.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Overtime and backfill for emergency preparedness and response personnel attending DHS/FEMA-sponsored and approved training classes

DESCRIPTION

Provides funding to support statewide training and exercises for deployable special response teams and MABAS divisions to improve preparedness to respond to emergency events. Maintains the existing unified and coordinated operational structure of fire service based mutual aid responders in Illinois. Provides funding support for training and exercises to enhance the capabilities of MABAS special response teams in the operation of equipment used to detect CBRN and WMD agents at emergency situations. Each Team maintains a common equipment inventory, communications, and training requirements so they are inter-operable with all other Teams as an incident evolves and requires additional Teams.

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$335,095.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

~~**Developing related terrorism and other catastrophic event prevention activities**~~

Ineligible

DESCRIPTION

ILEAS mission is to facilitate coordination among every law enforcement agency in Illinois. Of the 1,038 law enforcement agencies in Illinois, 931 (90 percent) have adopted the ILEAS law enforcement mutual aid agreement (LEMAA). The LEMAA provides that every agency can legally work with, request and receive mutual aid, participate in regional specialized teams and participate in supported planning functions statewide ILEASs role is to foster and nurture that collaborative relationship between law enforcement across the entire state. ILEAS is governed by an elected board of 21 chiefs, sheriffs, the Illinois State Police and Chicago Police. This board identifies routine and emerging needs across Illinois, and ILEAS endeavors to provide planning support as issues arise to fill those gaps and needs. In keeping with the ILEAS mission statement of Strength Through Cooperation¿, ILEAS has deployed 11 Regional Planning Coordinators (RPC) throughout the State. Four of these RPCs are paid proportionately between SHGP and UASI funds. Each RPC is assigned approximately 100 law enforcement agencies in a region for which they are responsible to support. RPCs attend regional police executive meetings, meet individually with chiefs, sheriffs and senior commanders, offer planning and logistical support for ILEAS special teams, provide training to local agencies and encourage/foster inter-agency cooperation and mutual aid planning. There is another element of planning that ILEAS performs as well. ILEAS managers provide high level strategic planning to provide direction for the staff to address preparedness planning. This level of planning also includes interaction with State, Federal and regional leadership to develop strategic goals and objectives for preparedness activities. ILEAS has also developed a robust computerized and customized mutual aid system. Part of the mutual aid system involves two dispatch agencies that have access to an online database of every law enforcement resou

QUANTITY	UNIT PRICE	TOTAL
1	$1,301,622.00	$1,301,622.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Item marked **ineligible**

JUSTIFICATION

adjusted to award amount

Operational support

DESCRIPTION

IPWMAN is an intergovernmental organization of local public works agencies whose purpose is to provide mutual aid to each other and share resources. Most of these members can provide basic public works services, some can provide advanced public works services, and some can provide little to no public works services, however, very few have the resources needed to manage a large-scale event without the need for mutual aid. Based on current trends in the homeland security and the gap in the available workforce many unseen issues have been brought forward. Many public works departments are understaffed with no relief in sight due to a lack of interested candidates. These two examples, along with many others, have created a gap that only mutual aid can fill. It is the hope of IPWMAN that the State of Illinois will utilize the existing IPWMAN structure to guide Homeland Security funding to assist in closing this gap. This grant project proposes to continue supporting the previous investment to begin building and then continuing to maintain a high level of response capability. Public works mutual aid is made efficient because each member agency operates under a single Operations Plan established and maintained by IPWMAN. This sharing of resources and grant funds means that a public works based response to a large-scale event is quickly available anywhere in the state. IPWMAN maintains formal partnerships with the Illinois Emergency Management Agency – Office of Homeland Security, Illinois Law Enforcement Alarm System, the Mutual Aid Box Alarm System, and the Illinois Arborist Association that build on communications and cooperation with other agencies that would respond to large-scale events. It also builds cooperation in joint training and exercises that this grant proposal would help to support.

QUANTITY	UNIT PRICE	TOTAL
1	$167,653.00	$167,653.00

BUDGET CLASS

Contractual

Operational support

DESCRIPTION

Provides funding MABAS staff assigned to plan, coordinate and evaluate statewide training and exercises of MABAS special response teams and deployable forces. Provides funding for MABAS headquarters staff who will establish strategic, operational, and tactical procedures and protocols for fire service based mutual-aid responses for emergency events. They are also responsible to maintain and enhance the state-wide unified and coordinated operational/response structure within the fire service and with other state-wide critical stakeholders and response agencies. Provides funds to support the position of Plans Section Chief . Provides funding for MABAS field operations staff who are responsible for the readiness of their assigned MABAS Divisions and Special Response Teams to respond to CBRN and other terrorist events.

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$1,232,399.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Investment

CBRNE Operational Search and Rescue Equipment

DESCRIPTION

Illinois has developed capabilities for law enforcement response to terrorism (domestic and foreign), soft targets/crowded places program. This program provides statewide availability and rapid response to a number of incident types through the creation of specialized teams that are based regionally across the entire state. The special teams are used as a law enforcement presence, observation for threats, and protection at certain soft target/crowded events. Five (5) Weapons of Mass Destruction Special Response Teams, (WMD SRT) and ten (10) Mobile Field Forces (MFF) have been properly trained and equipped in order to effectively respond to terrorist incidents (domestic and foreign), emergent threats and perform as a law enforcement presence at soft targets/crowded places and events. Additionally, ILEAS supplies vital equipment in the support of nine FBI-certified EOD Teams (Bomb Squads). The WMD SRT address those circumstances that involve the control and containment of any Chemical, Biological, Radiological, Nuclear & Explosive (CBRNE) situation. The WMD SRT consist of highly trained and skilled SWAT teams with members from dozens of agencies trained and equipped to operate in a CBRNE environment. The WMD SRT are the first line of defense in a WMD incident until the State WMD team arrives and takes control. These teams are supplied with state of the art technological and vehicular assets as well as personal protective gear that allows them to operate in WMD or chemically contaminated environments. The MFFs are an organized force under a singular command and equipment structure that function as a patrol strike team with self contained command, control, and communications for any law enforcement function. MFF roles have expanded to provide cohesive and focused unit response to introduce a Law Enforcement presence at scenes of soft target/crowded spaces events, emergent threats, and mass destruction and/or disruption in the aftermath of any terrorist attack.

QUANTITY	UNIT PRICE	TOTAL
1	$1,456,666.00	$1,456,666.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$1,456,663.00** to **$1,456,666.00**

JUSTIFICATION

adjusted to award amount

CBRNE Logistical Support Equipment

DESCRIPTION

As a statewide multi-agency deployable team, the State Weapons of Mass Destruction Teams (SWMDT) must sustain the ability to respond to any incident involving chemical, biological, radiological, nuclear, and explosives (CBRNE) threats or threats of terrorism. The SWMDT is the deployable team created through the Illinois Terrorism Task Force, responsible for the statewide response to terrorism events where CBRNE or human threats must be neutralized. In order to successfully support this mission, SWMDT must maintain the proper equipment and an advanced level of training. The Illinois State Police (ISP) will continue to maintain and improve its current level of operational readiness through approved training, attendance at conferences and workshops specific to the primary mission of the SWMDT, primary core capabilities and counter terrorism measures. The SWMDT will continue to perform two (2) exercises each year with the goal of both (1) exercises being urban area full-scale scenarios. Monthly joint planning and preparedness activities with the various elements of the SWMDT, Illinois National Guard 5th Civil Support Team, Federal/Urban/local law enforcement partners to ensure a coordinated and integrated response to all threats of terrorism or CBRNE incidents affecting the Illinois Homeland/urban area. The SWMDT will continue to ensure actionable counter terrorism activities in order to prevent and protect the citizens of Illinois, soft targets, and critical infrastructure.

QUANTITY	UNIT PRICE	TOTAL
1	$223,500.00	$223,500.00

BUDGET CLASS

Contractual

Preparedness training for community preparedness initiatives and programs

DESCRIPTION

The Illinois School and Campus Safety Program will be assigned to ILETSB Executive Institute at Western Illinois University. The Illinois School and Campus Safety Program, in partnership with the Illinois Terrorism Task Force, will provide communication, collaboration, and training to all community stakeholders for school and campus safety preparing students, faculty, volunteers, and staff to prepare and respond to active threat situations. The Illinois School and campus Safety Program will provide best planning and training practices as well as evidence bases practices to enhance organizational, and citizens capacity to plan for, respond to, and recover from an emergency or disaster at a school or university.

QUANTITY	UNIT PRICE	TOTAL
1	$202,000.00	$202,000.00

BUDGET CLASS

Contractual

Investment

Cybersecurity Enhancement Equipment

DESCRIPTION

The Department of Innovation and Technology is providing End point monitoring licenses continuation for local Election Authorities. This project provides security operation capabilities to those entities with licenses installed on their endpoints. The FY24 cybersecurity initiative proposed above is aimed at improving election cybersecurity maturity levels of organizations across the state. The proposed project focuses on raising the maturity levels of those organizations who lack the funding and expertise to provide endpoint detection monitoring. This project builds on previous year investments. The focus of the the FY2024 endpoint detection and monitoring services will work with established partnerships, such as Cyber Navigators and the Board of Elections, to proactively deploy these licenses to groups to all Election Authorities in the state to monitor their networks and devices for malicious activity.

QUANTITY	UNIT PRICE	TOTAL
1	$312,587.00	$312,587.00

BUDGET CLASS

Contractual

Investment

Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation)

DESCRIPTION

This project will support intelligence analysts and fusion center personnel to ensure that the fusion center is able to meet its needs. The Statewide Terrorism & Intelligence Center (STIC), the primary State of Illinois fusion center, will facilitate the real-time exchange of drug trend data and trafficking methods among federal, state, and local law enforcement, including the United States (U.S.) Customs and Border Protection and the Department of Homeland Security (DHS) Homeland Security Investigations (HSI), thus helping agencies adapt to emerging threats, identify DTO members, and concentrate resources on identified smuggling routes. The information shared with STIC about narcotics trafficking allows for the production of intelligence products that are shared throughout the intelligence community. The wide sharing of narcotics-related information will minimize the flow of narcotics into Illinois from the southwestern border. The wide sharing of this information also provides a layer of officer safety, as officers have been informed of DTOs, their members, and activities. Terrorism continues to pose a threat to border security in the U.S. because those associated with terrorist activities continue to try to enter through the borders. Terrorist actors and violent extremists often seek to exploit the border by using criminal smuggling networks. The FY 2025 Homeland Threat Assessment highlights ongoing border encounters involving individuals on terror watchlists. Addressing these risks requires strengthening of information and intelligence sharing and to detect and disrupt routes of travel and terrorism-related activities.

QUANTITY	UNIT PRICE	TOTAL
1	$1,041,956.00	$1,041,956.00

BUDGET CLASS

Personnel

Investment

Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation)

DESCRIPTION

Illinois State Police/STIC will utilize the Homeland Security Grant Program funding to fund the salaries of Terrorism Research Specialists within STIC. These employees distribute information throughout the state to include all homeland security and public safety partners. The STIC shares threat-related information to these partners as it relates to physical and cyber critical infrastructure and provides information and resources on how to prevent, detect, deter, mitigate, and respond to these threats. Funding is also used to support the overall operation of the center to include travel for planning and exercise activities, as well as equipment acquisition to ensure that communication and coordination needs are met.

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$1,962,371.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

CBRNE Logistical Support Equipment

DESCRIPTION

As a statewide multi-agency deployable team, the State Weapons of Mass Destruction Teams (SWMDT) must sustain the ability to respond to any incident involving chemical, biological, radiological, nuclear, and explosives (CBRNE) threats or threats of terrorism. The SWMDT is the deployable team created through the Illinois Terrorism Task Force, responsible for the statewide response to terrorism events where CBRNE or human threats must be neutralized. In order to successfully support this mission, SWMDT must maintain the proper equipment and an advanced level of training. The Illinois State Police (ISP) will continue to maintain and improve its current level of operational readiness through approved training, attendance at conferences and workshops specific to the primary mission of the SWMDT, primary core capabilities and counter terrorism measures. The SWMDT will continue to perform two (2) exercises each year with the goal of both (1) exercises being urban area full-scale scenarios. Monthly joint planning and preparedness activities with the various elements of the SWMDT, Illinois National Guard 5th Civil Support Team, Federal/Urban/local law enforcement partners to ensure a coordinated and integrated response to all threats of terrorism or CBRNE incidents affecting the Illinois Homeland/urban area. The SWMDT will continue to ensure actionable counter terrorism activities in order to prevent and protect the citizens of Illinois and critical infrastructure.

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$63,500.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Operational support

DESCRIPTION

IPWMAN is an intergovernmental organization of local public works agencies whose purpose is to provide mutual aid to each other and share resources. Most of these members can provide basic public works services, some can provide advanced public works services, and some can provide little to no public works services, however, very few have the resources needed to manage a large-scale event without the need for mutual aid. Based on current trends in the homeland security and the gap in the available workforce many unseen issues have been brought forward. Many public works departments are understaffed with no relief in sight due to a lack of interested candidates. These two examples, along with many others, have created a gap that only mutual aid can fill. It is the hope of IPWMAN that the State of Illinois will utilize the existing IPWMAN structure to guide Homeland Security funding to assist in closing this gap. This grant project proposes to continue supporting the previous investment to begin building and then continuing to maintain a high level of response capability. Public works mutual aid is made efficient because each member agency operates under a single Operations Plan established and maintained by IPWMAN. This sharing of resources and grant funds means that a public works based response to a large-scale event is quickly available anywhere in the state. IPWMAN maintains formal partnerships with the Illinois Emergency Management Agency – Office of Homeland Security, Illinois Law Enforcement Alarm System, the Mutual Aid Box Alarm System, and the Illinois Arborist Association that build on communications and cooperation with other agencies that would respond to large-scale events. It also builds cooperation in joint training and exercises that this grant proposal would help to support

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$22,862.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Hiring or maintaining staff positions/contractors/consultants at SLTT levels to deliver community preparedness training, resources and material to schools, community-based organizations, faith-based institutions and local businesses

DESCRIPTION

The Statewide Terrorism & Intelligence Centers (STIC) mission is provide timely, effective, and actionable intelligence information to federal, state, and local law enforcement and public safety partners 24/7/365 in order to enhance public safety, facilitate communication between agencies, and provide support in the fight against terrorism and criminal activity. Western Illinois University (WIU) partners with STIC by providing the personnel for the public safety outreach programs. These public safety programs partner with the private sector, emergency managers, law enforcement, school resource officers, administrators, and those responsible for overall school safety. These partners can work with the program managers and request and provide information as it relates to suspicious activity and threats. The program managers shares threat-related information to these partners as it relates to physical and cyber critical infrastructure and provides information and resources on how to prevent, detect, deter, mitigate, and respond to these threats.

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$137,000.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Regional counterterrorism training programs for small, medium, and large jurisdictions to exchange information and discuss the current threat environment, lessons learned, and best practices to help prevent, protect against, and mitigate acts of terrorism

DESCRIPTION

The ILETSB Homeland Security Training and Exercise Program will continue to work directly with 13 Mobile Team Units to provide over 37,000 local law enforcement officers and other all-hazards first responders to enhance the local community's ability to plan for, prevent, protect, respond to and recover from any crisis or disaster. The 13 MTUs cover all 102 counties and police agencies that include local, county, park districts, universities and colleges, forest preserves, railroad, and state agencies. More than 37,000 all-hazards first responders completed nearly half a million training hours by attending planning workshops and training courses supported through past homeland security grants. ILETSB oversees the Mobile Team In-Service Training Units (MTU) that are geographically placed throughout Illinois serving all 102 counties. MTUs are formed by a combination of units of local government to deliver in-service training to local and state law enforcement officers. They are a not-for-profit governmental entity directed and administered by an advisory board composed of local elected officials, local criminal justice administrators and the Director of the ILETSB. Their purpose is to encourage local and state law enforcement officers to upgrade their knowledge and skills in techniques pertinent to the law enforcement profession; to provide law enforcement officers with training opportunities within their own locality, and on flexible schedules; and to provide quality training on topics of instruction centered on specific local needs.

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$15,000.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Preparedness training for community preparedness initiatives and programs

DESCRIPTION

The Illinois School and Campus Safety Program will be assigned to ILETSB Executive Institute at Western Illinois University. The ILETSB Executive Institute at Western Illinois University is dedicated to developing leaders in the law enforcement community. The Illinois School and Campus Safety Program, in partnership with the Illinois Terrorism Task Force, will provide communication, collaboration, and training to all statewide stakeholders, faculty, staff, volunteers, students for school and campus safety. The Illinois School and campus Safety Program will provide best practices as well as evidence bases practices to enhance organizational capacity and community resilience for faculty, staff, volunteers, and students to plan for, respond to, and recover from an emergency or disaster

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$141,000.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation)

DESCRIPTION

The Grantee shall use federal funding to pay salaries of one Jail and Corrections Intelligence Officer (JCIO) and one Cyber Intelligence Officer (CSIO) within the STIC for 12 months. These employees will be responsible for identifying information needs of law enforcement and exploring ways to use information gathered by jail and correctional facilities to prevent terrorist attacks and other criminal behavior. The JCIO will explore links between prisoner radicalization and terrorism, gangs, and other criminal behavior. The equipment will be utilized to collect and correlate information from the various computer and database systems used by different counties and the Illinois. Cybersecurity Intelligence Officer (CSIO) will be assigned to the STIC and serve as a subject matter expert and point of contact for highly trained cyber analysts to identify and analyze malicious internet traffic. The CSIO will be responsible for sharing information from various sources to prevent cyber terrorism, exposing potential vulnerabilities in computer systems, providing guidance on performing fixes and solutions to cyber intrusions, and collecting information necessary to assist in identification and criminal prosecution of cyber hackers and offenders.

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$149,500.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Investment

Cybersecurity Enhancement Equipment

DESCRIPTION

The Election Security IJ was developed to prepare for, respond to, and protect against acts of terrorism on the urban area's election security infrastructure and is based on the Urban Area Homeland Security Strategy, the core capabilities outlined in the National Preparedness Goal, the Chicago Urban Area Threat and Hazard Identification Risk Assessment (THIRA) and the Stakeholder Preparedness Review (SPR), After Action Reports (AARs), Emergency Operations Plans (EOPs), Incident Action Plans (IAPs) and risk analyses, which have all been leveraged in compiling this request. Activities will include cybersecurity initiatives that support the Endpoint Threat Detection and Response (ETDR) and Network Monitoring.

QUANTITY	UNIT PRICE	TOTAL
1	$230,111.00	$230,111.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

JUSTIFICATION

adjusted to award amount

Cybersecurity Enhancement Equipment

DESCRIPTION

The Election Security IJ was developed to prepare for, respond to and protect against acts of terrorism on the urban area's election security infrastructure and is based on the Urban Area Homeland Security Strategy, the core capabilities outlined in the National Preparedness Goal, the Chicago Urban Area Threat and Hazard Identification Risk Assessment (THIRA) and the Stakeholder Preparedness Review (SPR), After Action Reports (AARs), Emergency Operations Plans (EOPs), Incident Action Plans (IAPs) and risk analyses, which have all been leveraged in compiling this request. Activities will include both cybersecurity initiatives and physical security hardening projects undertaken by both the city and the county.

QUANTITY	UNIT PRICE	TOTAL
1	$1,050,000.00	$1,050,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Does this cost count towards Law Enforcement Terrorism Prevention Activities (LETPA)? from to **Yes**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Investment

Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation)

DESCRIPTION

This investment supports the following goals and objectives of the Urban Area Homeland Security Strategy: Support and Strengthen Core Competencies; Prepare our Whole Community Against the Greatest Threats and Hazards; Prevent, Protect and Mitigate Against Threats and Hazards that Pose the Greatest Risk; Respond Quickly and Save Lives; Protect Property and Environment; and Meet Basic Human Needs During and After a Major Incident. Specifically, the City of Chicago will utilize FY24 UASI funding from October 1, 2024 through August 31, 2027 to sustain the designated Urban Area Fusion Center and strengthen information sharing and cooperation with federal, state and local partners by gathering and disseminating information relevant to homeland security and emergency management issues within the Urban Area, with the objective of preparing first responders with strong, detailed and accurate situational awareness.

QUANTITY	UNIT PRICE	TOTAL
1	$100,000.00	$100,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

JUSTIFICATION

adjusted to award amount

Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50% of the allocation)

DESCRIPTION

This investment supports personnel and equipment (mostly software) involved with intelligence sharing throughout the County. As the County's EMA, we collect and disseminate key law enforcement intelligence involving terrorism and dangerous individuals throughout the 134 municipalities of Cook County. We do this using a variety of software tools including our satellite systems., This project will maintain regional interoperability by sustaining the capabilities of and connectivity between the CCICC, EOC, the County's three ERCs, the FPDCC Police, the City of Chicago departments such as the Office of Emergency Management and Communications (OEMC), and suburban Cook County partner agencies and departments, as well as state and federa

QUANTITY	UNIT PRICE	TOTAL
1	$797,449.00	$797,449.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

JUSTIFICATION

adjusted to award amount

Investment

~~Operational support~~

Ineligible

DESCRIPTION

CFD Specialized Operations Teams - deployable teams and national asset. Joint CFD/CPD Training and Exercise Program: Command/Exempt Workshops, venue drills. Leverages other federal DHS programs, falling under CFD Division of Homeland Security and Emergency Management. Specialized Operations Teams (Hazmat, Collapse, Air/Sea Rescue, etc) training to ensure members are certified, trained and equipped to conduct specialized rescues during terrorism incidents (mass casualties as a result of threats such as Active Shooter, IEDs, vehicle rammings, vertical (high rise) terrorism, fire used as a weapon, etc) . CFD members maintain certifications to be deployable and a national asset. Costs also include sustaining the joint CFD/CPD Training and Exercise Program - front-line (POs, fire companies) Command (Supervisors), and Exempt Workshops and venue drills. Overall training program leverages other federal DHS programs falling under CFD Division of Homeland Security and Emergency Management (ie: Port Security, STC, CCTA, etc).

QUANTITY	UNIT PRICE	TOTAL
1	$4,935,000.00	$4,935,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Item marked **ineligible**

JUSTIFICATION

adjusted to award amount

Increase physical security, through law enforcement personnel and other protective measures, by implementing preventive and protective measures at critical infrastructure locations

DESCRIPTION

The investment will create new CBRNE protection, detection and response capabilities for the the Chicago Police Department while sustaining ongoing improvements, implementation and maintenance of plans, procedures, training, and exercises necessary to advance the Urban Area's capabilities to implement terrorism and CBRNE prevention, protection, mitigation, response and recovery missions across the Chicago region by enhancing technologies, improving operational capabilities, strengthening overall incident management, and hardening critical infrastructure targets against possible exploitation. Special teams are almost fully supported by these funds to include bomb squad equipment, SWAT equipment, specialized flight and tactical training for the CPD's helicopter pilots, OT for active shooter/CCTA exercises and training, etc. To accomplish these objectives, the Chicago Police Department (CPD) will utilize FY24 Homeland Security Grant Program funding from October 1, 2024 through August 31, 2027 to support the projects referenced below.

QUANTITY	UNIT PRICE	TOTAL
1	$3.00	$3.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$3,169,407.00** to **$3.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

~~Explosive Device Mitigation and Remediation Equipment~~

Ineligible

DESCRIPTION

The Office of Emergency Management and Communications (OEMC) in conjunction with the Chicago Police Department (CPD), created both a Vehicle Task Force as well as a Critical Infrastructure Working Group to address current and emerging threats related to vehicular terrorism. The Task Force developed a comprehensive plan for improving security and protection of infrastructure in public places, while focusing on the goals of preventing and mitigating vehicular terrorist attacks in the City of Chicago. Each meeting focused on a set of topics, including the identification of critical infrastructure, evaluation of soft targets/crowded places, various bollard systems, legislative considerations, cost and analysis and the establishment of a timeline for implementation of immediate and long-term steps to address vehicular terrorism. One main preventative measure is the investment towards a portable vehicle bollard system through a competitive contract with Meridian Archer barriers. The city has purchased 90 of these barriers using previous grant funding and this grant will allow for the purchase of at least 30 more bollards. These units are connected across streets for crowded fests and special events where there is a high threat for vehicular terrorism. The OEMC houses the Operations Center (OC) and City Incident Center (CIC) which are 24/7/365 functions that offers a data and communication flow between 911 floor, fusion center, CPD districts, and decision makers. OC/CIC is a hub and where tools like a common operating picture had inception. OEMC invested in a study to outline job specs and functionalist several years ago, recently invested in a review of workflow and physical footprint to achieve greater efficiency and functionality, and with UASI 2024 will invest in equipment to support physical changes to the space in the next few years of UASI. Finally the city OEMC invested in drone detection in a previous UASI grant and actual drones.

QUANTITY	UNIT PRICE	TOTAL
1	$1,600,000.00	$1,600,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Item marked **ineligible**

JUSTIFICATION

adjusted to award amount

~~Operational support~~

Ineligible

DESCRIPTION

This investment is for our technical and logistical personnel who run our Emergency Operations Center campus. The Emergency Operations Center (EOC) developed in part with a federal appropriation increases cooperation with other departments, reduces costs, and enhances service delivery while mobilizing all critical resources and establishing command, control, and coordination within the affected community and other coordinating bodies. The EOC allows for key decision-makers and stakeholders to have a predetermined location to meet and determine appropriate courses of action during an event. Funding is requested for ongoing sustainment and maintenance of the EMRS salaries and benefits of logistics staff required to maintain, service, utilize and loan out the equipment.

QUANTITY	UNIT PRICE	TOTAL
1	$2,273,702.00	$2,273,702.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Item marked **ineligible**

JUSTIFICATION

adjusted to award amount

~~**Operational support**~~

Ineligible

DESCRIPTION

This investment provides ongoing support for equipment for the Mobile Response Team which deploys equipment throughout the County to help prepare for, and respond to, active assailant incidents, including in-person and online training; and equipment to prevent, protect against, and respond to bombing incidents. The goal of this team is to deploy equipment into any critical incident in order to support and bolster local first responders at the onset of the critical incident to re-establish sufficient communications infrastructure within the affected area, support life-saving activities, and transition to recovery.

QUANTITY	UNIT PRICE	TOTAL
1	$300,000.00	$300,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Item marked **ineligible**

JUSTIFICATION

adjusted to award amount

Investment

Cybersecurity Enhancement Equipment

DESCRIPTION

This grant will be used for the continued renewal of all hardware, license, and software installation parts. It will also be utilized for all SMARTNET subscription for hardware support. Develop multi year strategy for public safety cyber. Coordinate how elements differ or coincide with city-wide initiatives under AIS.

QUANTITY	UNIT PRICE	TOTAL
1	$90,000.00	$90,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$125,000.00** to **$90,000.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Cybersecurity Enhancement Equipment

DESCRIPTION

The 2025 UASI Cyber-Security Improvement funding request will continue to enhance the City of Chicago's (City) resilience and efficiency in the identification and prevention of cyber based attacks leveraging the National Institute of Standards (NIST) Cyber Security Framework (CSF) as well as the Security and Privacy Controls for Federal Information Systems and Organizations (800- 53r5). The proposed initiatives combine to provide people, process and technology in support of controls that span all five NIST CSF functions with specific concentrations on Protect, Detect and Respond. These capabilities allow the City to prepare for and be in a position to respond to cyber threats to City systems. Without the funding this grant supplies, the City of Chicago, the third largest municipality in the Country, would not be able to protect the data and systems which support the services the City provides supporting the constituents of the City with extended benefits to those in the County and region who commute to the City for their jobs and the recreational and entertainment opportunities the City provides. All learnings from the City's cyber defenses are shared in a bi-weekly forum with City sister agencies and Cook County agencies to foster knowledge sharing and shared value. Additionally, the City CISO hosts a weekly call with the State of Illinois CISO and the Cook County CISO as well as ad hoc conversations to share knowledge gained from the program the UASI grant supports. This funding specifically supports ongoing license costs, salary and fringe for 4 personnel, funds for a Data Loss Prevention solution helps prevent sensitive or confidential information from being lost through data classification, encryption, monitoring and blocking techniques, and funding for Insider Threat Management solutions to build on Data Loss Prevention capabilities leveraging user and system behavioral analytics to proactively identify, alert and take action on suspicious activity.

QUANTITY	UNIT PRICE	TOTAL
1	$2.00	$2.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$3,874,000.00** to **$2.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Cybersecurity Enhancement Equipment

DESCRIPTION

This investment is for the County's personnel and software that support a Countywide effort to enhance our security and functioning of critical infrastructure and core capabilities as they relate to preventing, preparing for, protecting against, or responding to acts of Cyber terrorism.

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$1,825,355.00** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Investment

Interoperable Communications Equipment

DESCRIPTION

This project provides for the replacement of end of life units as well as repair parts for units that are in the field. The City of Chicago will utilize the Homeland Security Grant Program-Urban Area Security Initiative funding from a period of March 1, 2025 to August 30, 2027 to expand P25 system coverage capacity (Torrance Ave bridge, D4, SW Side) - The City of Chicago is continuing operations to integrate all the City's radios into one system through a central redundant core. This system will provide more security, encrypted communications, and user management. We need to ensure expanded coverage for increased use within the system. Work on this initiative began in 2017 and is continuing to incorporate more functionality, capacity and users each year. The investment in the P25 infrastructure will allow for increased interoperability with not only other City of Chicago agencies, but also the majority neighboring public safety entities in the Chicagoland area. Radio backhaul overhaul – we must continue to invent in our backhaul circuits to prepare our radio system to become largely digital in the coming years. This investment in backhaul infrastructure will include migrating from legacy, and costly, copper circuits.

QUANTITY	UNIT PRICE	TOTAL
1	$986,000.00	$986,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

JUSTIFICATION

adjusted to award amount

Integration and interoperability of systems and data, such as CAD and RMS

DESCRIPTION

This investment will continue the maintenance and sustainment of the Urban Areas interoperable communications capabilities to ensure the capacity to communicate with the emergency response community, especially during a highprofile terrorist incident requiring a multi-jurisdictional response from one of the over 134 Cook County communities. Cook County Department of Emergency Management and Regional Security will use the funds to pay for one year of sustainment through a radio maintenance contract with Motorola on existing radios purchased with previously awarded UASI funding. Funds will be used to secure a purchase order agreement through the Cook County Motorola county-wide contract to pay for monthly maintenance of radio equipment until August 2026. This investment facilitates operational communication and strengthens operational coordination capabilities outlined in the National Preparedness Guidelines by ensuring the capacity for timely communications in support of situational awareness. Activities under this investment will support the Urban Areas"" strategic goal to support and strengthen core competencies and the Homeland Security Grant Program priorities to sustain capabilities and build and sustain law enforcement terrorism prevention capabilities. This investment also directly supports the State of Illinois Homeland Security Strategy of preparing our first responders, healthcare providers, and critical infrastructure and replacing or procuring voice, data, and video equipment that ensures the capabilities of the States strategic technology reserve.

QUANTITY	UNIT PRICE	TOTAL
1	$1,232,139.00	$1,232,139.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

JUSTIFICATION

adjusted to award amount

Investment

Operational support

DESCRIPTION

This investment supports the ongoing training efforts of the Orland Fire Protection District (OFPD) and all of their personnel, training costs, and equipment to support their efforts to train countywide deployable teams to maintain the County's capability to respond to terrorist events.

QUANTITY	UNIT PRICE	TOTAL
1	$300,000.00	$300,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

JUSTIFICATION
adjusted to award amount

Operational support

DESCRIPTION

This investment supports the ongoing training efforts of the Mutual Aid Box Alarm System and all of their personnel, training costs, and equipment to support their efforts to train countywide deployable teams to maintain the County's capability to respond to terrorist events.

QUANTITY	UNIT PRICE	TOTAL
1	$450,000.00	$450,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

JUSTIFICATION
adjusted to award amount

Training workshops and conferences

DESCRIPTION

This investment supports the ongoing personnel involved in supporting our training programs throughout the Urban Area as well as some funds to support training for County partners, including our municipal law enforcement and fire partners. Capabilities achieved through this investment will be sustained as long-term fixtures of the Urban Area through ongoing training, exercises, public education, increased communication with the public, and continued partnerships with communities, the private sector, and local governments. Training programs are and will continue to be, available to fire service, emergency management, law enforcement, public health, and emergency medical service sectors and private, non-profit, academic, and civilian organizations. Funding will also be utilized for exercises to test the capabilities and knowledge as well as skills and abilities achieved from training.

QUANTITY	UNIT PRICE	TOTAL
1	$812,466.00	$812,466.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

JUSTIFICATION

adjusted to award amount

Investment

Developing related terrorism and other catastrophic event prevention activities

DESCRIPTION

CFD will utilize UASI funding to sustain its regional training asset of the Sim and Mobile Sim Lab (MSL) Trainings. Sim training will allow CFD continued education and training to members ensuring that paramedics, EMTs and other first responders have mastered skill sets necessary to provide lifesaving emergency medical services during a mass casualty incident. Through the Sim Lab, courses such as CBRNE, 1st 15, Behavioral Crisis, Mobile Medic Response Team Training, and K-9 Tactical Emergency Casualty Care are provided to members and response partners, to include CC Health Department, Private Providers Emergency Response System (PPERS), EMS Regions VII, VIII, and IX. Trainings that benefit law enforcement are taught to CPD, FBI, CC Sheriff Police, State Police and US Marshals. The MSL allows instructors to visit firehouses 4X per week minimally including weekends. The MSL being transportable to firehouses allows CFD to train greater numbers with more schedule flexibility. Members can choose their area of comfort/discomfort, pertaining to the level of skill they'd like to assess. These labs build and sustain capabilities for victim extrication, triage, treatment, transport and tracking. By sharing this educational experience with CFD and partners agencies, we have cultivated a relationship that will merge many levels of experience and education in the event of a mutual aid response. This request is for OT, instructors, equipment, lab and equipment supplies.

QUANTITY	UNIT PRICE	TOTAL
1	$91,000.00	$91,000.00

BUDGET CLASS

Contractual

Coordination with Citizen Corps Councils and CERT in conducting training exercises

DESCRIPTION

This investment will continue to fund our preparedness staff and our Resident Preparedness programs - provide education to Cook County residents on hazards that may impact their community and train them in basic disaster skills to be better prepared in their homes and communities in the event of a disaster or other critical incidents. In addition, these funds support the County's CERT program, which is designed to equip citizens with the tools necessary to help families, neighborhoods, and communities.

QUANTITY	UNIT PRICE	TOTAL
1	$329,598.00	$329,598.00

BUDGET CLASS

Contractual

Coordination and material support to Citizen Corps Councils and local firehouses for the establishment, training and maintenance of CERTs

DESCRIPTION

These projects address elements the City implements to strengthen planning efforts and citizen preparedness. FY2024 UASI funds will support projects that include: the continued phased citywide roll-out of Safe Chicago; 12 additional months of outreach campaigns through print ads and radio, planning costs associated with hosting a regional whole community training summit, supplies for CERT sustainment; ongoing installation of location identifiers/pole marking along Lakeshore Drive; 12 additional months of support for Continuity of Operations Plan (COOP) reviews and associated COOP training provided by a vendor

QUANTITY	UNIT PRICE	TOTAL
1	$128,817.00	$128,817.00

BUDGET CLASS

Contractual

Investment

Operational support

DESCRIPTION

This project will support intelligence analysts and fusion center personnel to ensure that the fusion center is able to meet its needs. The Area Port of Chicago has eight ports of entry and seven user fee airports and processes approximately 6.5 million visitors each year. The Area Port covers 160 container freight stations, 43 foreign trade zones, 19 customs bonded warehouses, 167 other bonded facilities, 2 centralized examination stations, two express consignment facilities and the third busiest international mail facility in the US responsible for processing over 12 million international mail parcels each year, accounting for 9% of all inbound international mail entering the United States – O'Hare being one of the largest cargo airports in the country, the largest international airport in the Midwest and the most connected airport in the US and 5th most connected in the world. Customs and Border Protection in Chicago works directly with CPD and CPIC who supports their mission of ensuring border security and facilitating lawful travel and trade. Additionally, CBP and CPD and CPIC collaboration helps to target, analyze, disrupt, and dismantle Transnational Criminal Organizations (TCOs) responsible for large scale narcotics and firearms distribution and the related drug and gang violence in Chicago. Chicago and Cook County work collaboratively in sharing intelligence towards this project.

QUANTITY	UNIT PRICE	TOTAL
1	$2,030,593.00	$2,030,593.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$3,030,593.00** to **$2,030,593.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Operational support

DESCRIPTION

This project will support intelligence analysts and fusion center personnel to ensure that the fusion center is able to meet its needs. The Statewide Terrorism & Intelligence Center (STIC), the primary State of Illinois fusion center, will facilitate the real-time exchange of drug trend data and trafficking methods among federal, state, and local law enforcement, including the United States (U.S.) Customs and Border Protection and the Department of Homeland Security (DHS) Homeland Security Investigations (HSI), thus helping agencies adapt to emerging threats, identify DTO members, and concentrate resources on identified smuggling routes. The information shared with STIC about narcotics trafficking allows for the production of intelligence products that are shared throughout the intelligence community. The wide sharing of narcotics-related information will minimize the flow of narcotics into Illinois from the southwestern border. The wide sharing of this information also provides a layer of officer safety, as officers have been informed of DTOs, their members, and activities. Terrorism continues to pose a threat to border security in the U.S. because those associated with terrorist activities continue to try to enter through the borders. Terrorist actors and violent extremists often seek to exploit the border by using criminal smuggling networks. The FY 2025 Homeland Threat Assessment highlights ongoing border encounters involving individuals on terror watchlists. Addressing these risks requires strengthening of information and intelligence sharing and to detect and disrupt routes of travel and terrorism-related activities.

QUANTITY	UNIT PRICE	TOTAL
1	$3.00	$3.00

BUDGET CLASS

Personnel

CHANGE FROM APPLICATION

Unit price from **$317,389.00** to **$3.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Investment

Maturation, enhancement, and sustainment of designated state and major Urban Area fusion centers, including information sharing and analysis, threat recognition, terrorist interdiction, and intelligence analyst training and salaries (subject to certain conditions)

DESCRIPTION

This investment will support on-going maintenance and upgrades to the architecture and environment of CPD''s Citizen and Law Enforcement Analysis and Reporting (CLEAR) System - a robust, secure and expansive law enforcement data integration, notification and information sharing infrastructure - to ensure system reliability, enhance system security, develop and increase functionalities and provide for future expansion. CLEAR is the repository for thousands of records and provides the backbone for exchanging and analyzing critical homeland security information between 450 local, state and federal partner agencies covering more than 30,000 users in the urban area. CLEAR also provides many of the core data sources and analytics capacity utilized by Chicago's various situational awareness centers, including the Chicago Police Department's Crime Prevention and Information Center (CPIC), the District-based Strategic Decision Support Centers (SDSCs), and the Office of Emergency Management and Communications (OEMC) City Operations Center; and provides critical mapping and analytics support for multi-agency mobile command posts for planned and unplanned incidents.

QUANTITY	UNIT PRICE	TOTAL
1	$154,416.00	$154,416.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$1,150,000.00** to **$154,416.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Investment

Personnel

DESCRIPTION

The IJ was developed based on the Urban Area Homeland Security Strategy, the core capabilities outlined in the National Preparedness Goal, the Chicago Urban Area Threat and Hazard Identification Risk Assessment (THIRA) and the Stakeholder Preparedness Review (SPR), After Action Reports (AARs), Emergency Operations Plans (EOPs), Incident Action Plans (IAPs) and risk analyses, which have all been leveraged in compiling this request.

QUANTITY	UNIT PRICE	TOTAL
1	$47,523.55	$47,523.55

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$247,523.55** to **$47,523.55**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Fringe benefits

DESCRIPTION

The IJ was developed based on the Urban Area Homeland Security Strategy, the core capabilities outlined in the National Preparedness Goal, the Chicago Urban Area Threat and Hazard Identification Risk Assessment (THIRA) and the Stakeholder Preparedness Review (SPR), After Action Reports (AARs), Emergency Operations Plans (EOPs), Incident Action Plans (IAPs) and risk analyses, which have all been leveraged in compiling this request.

QUANTITY	UNIT PRICE	TOTAL
1	$1.45	$1.45

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$202,518.45** to **$1.45**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Personnel

DESCRIPTION

The IJ was developed based on the Urban Area Homeland Security Strategy, the core capabilities outlined in the National Preparedness Goal, the Chicago Urban Area Threat and Hazard Identification Risk Assessment (THIRA) and the Stakeholder Preparedness Review (SPR), After Action Reports (AARs), Emergency Operations Plans (EOPs), Incident Action Plans (IAPs) and risk analyses, which have all been leveraged in compiling this request.

QUANTITY	UNIT PRICE	TOTAL
1	$200,433.00	$200,433.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$585,889.15** to **$200,433.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Fringe benefits

DESCRIPTION

The IJ was developed based on the Urban Area Homeland Security Strategy, the core capabilities outlined in the National Preparedness Goal, the Chicago Urban Area Threat and Hazard Identification Risk Assessment (THIRA) and the Stakeholder Preparedness Review (SPR), After Action Reports (AARs), Emergency Operations Plans (EOPs), Incident Action Plans (IAPs) and risk analyses, which have all been leveraged in compiling this request.

QUANTITY	UNIT PRICE	TOTAL
1	$1.00	$1.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Unit price from **$479,363.85** to **$1.00**

JUSTIFICATION

Adjusted per DHS directive. Please update post award.

Program management

DESCRIPTION

The IJ was developed based on the Urban Area Homeland Security Strategy, the core capabilities outlined in the National Preparedness Goal, the Chicago Urban Area Threat and Hazard Identification Risk Assessment (THIRA) and the Stakeholder Preparedness Review (SPR), After Action Reports (AARs), Emergency Operations Plans (EOPs), Incident Action Plans (IAPs) and risk analyses, which have all been leveraged in compiling this request

QUANTITY	UNIT PRICE	TOTAL
1	$200,895.75	$200,895.75

BUDGET CLASS

Personnel

CHANGE FROM APPLICATION

JUSTIFICATION
adjusted to award amount

Program management

DESCRIPTION

The IJ was developed based on the Urban Area Homeland Security Strategy, the core capabilities outlined in the National Preparedness Goal, the Chicago Urban Area Threat and Hazard Identification Risk Assessment (THIRA) and the Stakeholder Preparedness Review (SPR), After Action Reports (AARs), Emergency Operations Plans (EOPs), Incident Action Plans (IAPs) and risk analyses, which have all been leveraged in compiling this request

QUANTITY	UNIT PRICE	TOTAL
1	$164,369.25	$164,369.25

BUDGET CLASS

Fringe benefits

CHANGE FROM APPLICATION

Management and/or Administration costs

Contractual

DESCRIPTION

The Illinois Emergency Management Agency-Office of Homeland Security (IEMA-OHS) as the State Administrative Agency (SAA) for all homeland security programs and grants utilizes management and administrative funds for a variety of homeland security projects to ensure the state of Illinois reduces its threat risk, and prepares, prevents, protects against, and responds to acts of terrorism, cyber security planning and preparedness coordination. Those projects include funding for IEMA preparedness and grants administration staff; completion of programmatic reports to IEMA and FEMA; In addition, IEMA provides financial services to include bill payment and grant reporting; travel for program and administrative staff; all other expenses associated with administering the Homeland Security Grant Program (HSGP) to include audits, telecommunications, and supplies.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	$100,003.00	$100,003.00	Contractual

CHANGE FROM APPLICATION

JUSTIFICATION
adjusted to award amount

Travel

DESCRIPTION

The Illinois Emergency Management Agency-Office of Homeland Security (IEMA-OHS) as the State Administrative Agency (SAA) for all homeland security programs and grants utilizes management and administrative funds for a variety of homeland security projects to ensure the state of Illinois reduces its threat risk, and prepares, prevents, protects against, and responds to acts of terrorism, cyber security planning and preparedness coordination. Those projects include funding for IEMA preparedness and grants administration staff; completion of programmatic reports to IEMA and FEMA; In addition, IEMA provides financial services to include bill payment and grant reporting; travel for program and administrative staff; all other expenses associated with administering the Homeland Security Grant Program (HSGP) to include audits, telecommunications, and supplies.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	$10,000.00	$10,000.00	Travel

Supplies

DESCRIPTION

The Illinois Emergency Management Agency-Office of Homeland Security (IEMA-OHS) as the State Administrative Agency (SAA) for all homeland security programs and grants utilizes management and administrative funds for a variety of homeland security projects to ensure the state of Illinois reduces its threat risk, and prepares, prevents, protects against, and responds to acts of terrorism, cyber security planning and preparedness coordination. Those projects include funding for IEMA preparedness and grants administration staff; completion of programmatic reports to IEMA and FEMA; In addition, IEMA provides financial services to include bill payment and grant reporting; travel for program and administrative staff; all other expenses associated with administering the Homeland Security Grant Program (HSGP) to include audits, telecommunications, and supplies.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	$1,000.00	$1,000.00	Supplies

Personnel

DESCRIPTION

The Illinois Emergency Management Agency-Office of Homeland Security (IEMA-OHS) as the State Administrative Agency (SAA) for all homeland security programs and grants utilizes management and administrative funds for a variety of homeland security projects to ensure the state of Illinois reduces its threat risk, and prepares, prevents, protects against, and responds to acts of terrorism, cyber security planning and preparedness coordination. Those projects include funding for IEMA preparedness and grants administration staff; completion of programmatic reports to IEMA and FEMA; In addition, IEMA provides financial services to include bill payment and grant reporting; travel for program and administrative staff; all other expenses associated with administering the Homeland Security Grant Program (HSGP) to include audits, telecommunications, and supplies.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	$42,999.00	$42,999.00	Personnel

Fringe benefits

DESCRIPTION

The Illinois Emergency Management Agency-Office of Homeland Security (IEMA-OHS) as the State Administrative Agency (SAA) for all homeland security programs and grants utilizes management and administrative funds for a variety of homeland security projects to ensure the state of Illinois reduces its threat risk, and prepares, prevents, protects against, and responds to acts of terrorism, cyber security planning and preparedness coordination. Those projects include funding for IEMA preparedness and grants administration staff; completion of programmatic reports to IEMA and FEMA; In addition, IEMA provides financial services to include bill payment and grant reporting; travel for program and administrative staff; all other expenses associated with administering the Homeland Security Grant Program (HSGP) to include audits, telecommunications, and supplies.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	$40,000.00	$40,000.00	Fringe benefits

Of the total Federal funds, $13758579.00 has been placed on hold. See the following terms in the Agreement Articles for more details:

Article number	Title	Payment hold
Article 67	Funding Hold: Additional Information Required	$13758579.00

Agreement Articles

Program: Fiscal Year 2025 Homeland Security Grant Program
Recipient: ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY
UEI-EFT: JLCNDRM34JD5
Award number: EMW-2025-SS-05059

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Article 1	**Assurance, Administrative Requirements, Cost Principles, Representations, and Certifications** I. Recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non- Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances, as instructed.
Article 2	**General Acknowledgements and Assurances** Recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in effect as of the federal award date and located in Title 2, Code of Federal Regulations, Part 200 and adopted by DHS at 2 C.F.R. § 3002.10. All recipients and subrecipients must acknowledge and agree to provide DHS access to records, accounts, documents, information, facilities, and staff pursuant to 2 C.F.R. § 200.337. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal award and permit access to facilities and personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements required by law, federal regulation, Notice of Funding Opportunity, federal award specific terms and conditions, and/or DHS Component program guidance. Organization costs related to data and evaluation are allowable. The definition of data and evaluation costs is in 2 C.F.R. § 200.455(c), the full text of which is incorporated by reference. V. Recipients must complete DHS Form 3095 within 60 days of receipt of the Notice of Award for the first award under which this term applies. For further instructions and to access the form, please visit: https://www.dhs.gov/civil-rightsresources-recipients-dhs-financial-assistance.
Article 3	**Acknowledgement of Federal Funding from DHS** Recipients must acknowledge their use of federal award funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal award funds.
Article 4	**Activities Conducted Abroad** Recipients must coordinate with appropriate government authorities when performing project activities outside the United States obtain all appropriate licenses, permits, or approvals.
Article 5	**Age Discrimination Act of 1975** Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (codified as amended at Title 42, U.S. Code § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article 6	**Americans with Disabilities Act of 1990** Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
Article 7	**Best Practices for Collection and Use of Personally Identifiable Information** (1) Recipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. (2) Definition. DHS defines “PII” as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article 8	**CHIPS and Science Act of 2022, Public Law 117-167 CHIPS** (1) Recipients of DHS research and development (R&D) awards must report to the DHS Component research program office any finding or determination of sex based and sexual harassment and/or an administrative or disciplinary action taken against principal investigators or co-investigators to be completed by an authorized organizational representative (AOR) at the recipient institution. (2) Notification. An AOR must disclose the following information to agencies within 10 days of the date/the finding is made, or 10 days from when a recipient imposes an administrative action on the reported individual, whichever is sooner. Reports should include: (a) Award number, (b) Name of PI or Co-PI being reported, (c) Awardee name, (d) Awardee address, (e) AOR name, title, phone, and email address, (f) Indication of the report type: (i) Finding or determination has been made that the reported individual violated awardee policies or codes of conduct, statutes, or regulations related to sexual harassment, sexual assault, or other forms of harassment, including the date that the finding was made. (ii) Imposition of an administrative or disciplinary action by the recipient on the reporting individual related to a finding/determination or an investigation of an alleged violation of recipient policy or codes of conduct, statutes, or regulations, or other forms of harassment. (iii) The date and nature of the administrative/disciplinary action, including a basic explanation or description of the event, which should not disclose personally identifiable information regarding any complaints or individuals involved. Any description provided must be consistent with the Family Educational Rights in Privacy Act. (3) Definitions. (a) An “authorized organizational representative (AOR)” is an administrative official who, on behalf of the proposing institution, is empowered to make certifications and representations and can commit the institution to the conduct of a project that an agency is being asked to support as well as adhere to various agency policies and award requirements. (b) “Principal investigators and co-principal investigators” are award personnel supported by a grant, cooperative agreement, or contract under Federal law. (c) A “reported individual” refers to recipient personnel who have been reported to a federal agency for potential sexual harassment violations. (d) “Sex based harassment” means a form of sex discrimination and includes harassment based on sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. (e) “Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile, or offensive work environment, whether such activity is carried out by a supervisor or by a co-worker, volunteer, or contractor.
Article 9	**Civil Rights Act of 1964 – Title VI** Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21. Recipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA’s implementing regulations at 44 C.F.R. Part 7.

Article 10	**Civil Rights Act of 1968** Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90284 (codified as amended at 42 U.S.C. § 3601 et seq.) which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection. therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units— i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)
Article 11	**Communication and Cooperation with the Department of Homeland Security and Immigration Officials** (1) All recipients and other recipients of funds under this award must agree that they will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials: (a) They must comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with DHS regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: 1) sending such information to, or requesting or receiving such information from, Federal immigration officials; 2) maintaining such information; or 3) exchanging such information with any other Federal, State, or local government entity; (b) They must comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes; (c) That they will honor requests for cooperation, such as participation in joint operations, sharing of information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance; (d) That they will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien; and (e) That they will not leak or otherwise publicize the existence of an immigration enforcement operation. (2) The recipient must certify under penalty of perjury pursuant to 28 U.S.C. § 1746 and using a form that is acceptable to DHS, that it will comply with the requirements of this term. Additionally, the recipient agrees that it will require any subrecipients or contractors to certify in the same manner that they will comply with this term prior to providing them with any funding under this award. (3) The recipient agrees that compliance with this term is material to the Government's decision to make or continue with this award and that the Department of homeland Security may terminate this grant, or take any other allowable enforcement action, if the recipient fails to comply with this term.

Article 12	**Copyright** Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.
Article 13	**Debarment and Suspension** Recipients must comply with the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689 set forth at 2 C.F.R. Part 180 as implemented by DHS at 2 C.F.R. Part 3000. These regulations prohibit recipients from entering into covered transactions (such as subawards and contracts) with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.
Article 14	**Drug-Free Workplace Regulations** Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government- wide implementation (2 C.F.R. Part 182) of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).
Article 15	**Duplicative Costs** Recipients are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing requirements of any other federal award in either the current or a prior budget period. See 2 C.F.R. § 200.403(f). However, recipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal award terms and conditions.
Article 16	**Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX** Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17. Recipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 19.
Article 17	**Energy Policy and Conservation Act** Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article 18	**Equal Treatment of Faith-Based Organizations** It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.
Article 19	**Anti-Discrimination** Recipients must comply with all applicable Federal anti-discrimination laws material to the government's payment decisions for purposes of 31 U.S.C. § 372(b)(4). (1) Definitions. As used in this clause – (a) DEI means "diversity, equity, and inclusion." (b) DEIA means "diversity, equity, inclusion, and accessibility." (c) Discriminatory equity ideology has the meaning set forth in Section 2(b) of Executive Order 14190 of January 29, 2025. (d) Federal anti-discrimination laws mean Federal civil rights law that protect individual Americans from discrimination on the basis of race, color, sex, religion, and national origin. (e) Illegal immigrant means any alien, as defined in 8 U.S.C. § 1101(a)(3), who has no lawful immigration status in the United States.(2) Grant award certification. (a) By accepting the grant award, recipients are certifying that: (i) They do not, and will not during the term of this financial assistance award, operate any programs that advance or promote DEI, DEIA, or discriminatory equity ideology in violation of Federal anti-discrimination laws; and (ii) They do not engage in and will not during the term of this award engage in, a discriminatory prohibited boycott. (iii) They do not, and will not during the term of this award, operate any program that benefits illegal immigrants or incentivizes illegal immigration. (3) DHS reserves the right to suspend payments in whole or in part and/or terminate financial assistance awards if the Secretary of Homeland Security or her designee determines that the recipient has violated any provision of subsection (2). (4) Upon suspension or termination under subsection (3), all funds received by the recipient shall be deemed to be in excess of the amount that the recipient is determined to be entitled to under the Federal award for purposes of 2 C.F.R. § 200.346. As such, all amounts received will constitute a debt to the Federal Government that may be pursued to the maximum extent permitted by law.
Article 20	**False Claims Act and Program Fraud Civil Remedies** Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)
Article 21	**Federal Debt Status** All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

Article 22	**Federal Leadership on Reducing Text Messaging while Driving** Recipients are encouraged to adopt and enforce policies that ban text messaging while driving recipient-owned, recipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Recipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of Executive Order 13513.
Article 23	**Fly America Act of 1974** Recipients must comply with Preference for U.S. Flag Air Carriers (a list of certified air carriers can be found at: Certificated Air Carriers List | US Department of Transportation, https://www.transportation.gov/policy/aviation-policy/certificated-aircarriers-list)for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.
Article 24	**Hotel and Motel Fire Safety Act of 1990** Recipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a.
Article 25	**John S. McCain National Defense Authorization Act of Fiscal Year 2019** Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described 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 statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.
Article 26	**Limited English Proficiency (Civil Rights Act of 1964, Title VI)** Recipients must comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance-published-help- department-supported-organizationsprovide-meaningful-access-people-limited and additional resources on http://www.lep.gov.

Article 27	**Lobbying Prohibitions** Recipients must comply with 31 U.S.C. § 1352 and 6 C.F.R. Part 9, which provide that none of the funds provided under a federal award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification. Per 6 C.F.R. Part 9, recipients must file a lobbying certification form as described in Appendix A to 6 C.F.R. Part 9 or available on Grants.gov as the Grants.gov Lobbying Form and file a lobbying disclosure form as described in Appendix B to 6 C.F.R. Part 9 or available on Grants.gov as the Disclosure of Lobbying Activities (SF-LLL).
Article 28	**National Environmental Policy Act** Recipients must comply with the requirements of the National Environmental Policy Act of 1969, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.
Article 29	**National Security Presidential Memorandum-33 (NSPM-33) and provisions of the CHIPS and Science Act of 2022, Pub. L. 117-167, Section 10254** (1) Recipient research institutions (“covered institutions”) must comply with the requirements in NSPM-33 and provisions of Pub. L.117-167, Section 10254 (codified at 42 U.S.C. § 18951) certifying that the institution has established and operates a research security program that includes elements relating to: (a) cybersecurity; (b) foreign travel security; (c) research security training; and (d) export control training, as appropriate. (2) Definition. “Covered institutions” means recipient research institutions receiving federal Research and Development (R&D) science and engineering support “in excess of $50 million per year.”
Article 30	**Non-Supplanting Requirement** Recipients of federal awards under programs that prohibit supplanting by law must ensure that federal funds supplement but do not supplant non-federal funds that, in the absence of such federal funds, would otherwise have been made available for the same purpose.
Article 31	**Notice of Funding Opportunity Requirements** All the instructions, guidance, limitations, scope of work, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this federal award are incorporated by reference. All recipients must comply with any such requirements set forth in the NOFO. If a condition of the NOFO is inconsistent with these terms and conditions and any such terms of the federal award, the condition in the NOFO shall be invalid to the extent of the inconsistency. The remainder of that condition and all other conditions set forth in the NOFO shall remain in effect.

Article 32	**Patents and Intellectual Property Rights** Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq. and applicable regulations governing inventions and patents, including the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R. § 401.14.
Article 33	**Presidential Executive Orders** Recipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference.
Article 34	**Procurement of Recovered Materials** States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act at 42 U.S.C. § 6962) and 2 C.F.R. § 200.323. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
Article 35	**Rehabilitation Act of 1973** Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
Article 36	**Reporting Recipient Integrity and Performance Matters** If the total value of any 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 the federal award, then the recipient must comply with the requirements set forth in the government-wide federal award term and condition for Recipient Integrity and Performance Matters is in 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated by reference.
Article 37	**Reporting Subawards and Executive Compensation** For federal awards that total or exceed $30,000, recipients are required to comply with the requirements set forth in the government-wide federal award term and condition on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.

Article 38	**Required Use of American Iron, Steel, Manufactured Products, and Construction Materials** (1) Recipients of a federal award from a financial assistance program that provides funding for infrastructure are hereby notified that none of the funds provided under this federal award may be used for a project for infrastructure unless: (a) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (b) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (c) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. (2) 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. (3) Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements. (a) When the Federal agency has determined that one of the following exceptions applies, the federal awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that: (i) applying the domestic content procurement preference would be inconsistent with the public interest; (ii) 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; or (iii) 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 percent. (b) A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. (c) There may be instances where a federal award qualifies, in whole or in part, for an existing waiver described at “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. (4) Definitions. The definitions applicable to this term are set forth at 2 C.F.R. § 184.3, the full text of which is incorporated by reference.
Article 39	**SAFECOM** Recipients receiving federal awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. The SAFECOM Guidance is updated annually and can be found at Funding and Sustainment | CISA.

Article 40	**Subrecipient Monitoring and Management** Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.
Article 41	**System for Award Management and Unique Entity Identifier Requirements** Recipients are required to comply with the requirements set forth in the governmentwide federal award term and condition regarding the System for Award Management and Unique Entity Identifier Requirements in 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated reference.
Article 42	**Termination of a Federal Award** (1) By DHS. DHS may terminate a federal award, in whole or in part, for the following reasons: (a) If the recipient fails to comply with the terms and conditions of the federal award; (b) 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; or (c) Pursuant to the terms and conditions of the federal award, including, to the extent authorized by law, if the federal award no longer effectuates the program goals or agency priorities. (3) By the Recipient. The recipient may terminate the federal award, in whole or in part, by sending written notification to DHS stating the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. However, if DHS determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, DHS may terminate the federal award in its entirety. (4) Notice. Either party will provide written notice of intent to terminate for any reason to the other party no less than 30 calendar days prior to the effective date of the termination. (5) Compliance with Closeout Requirements for Terminated Awards. The recipient must continue to comply with closeout requirements in 2 C.F.R. §§ 200.344200.345 after an award is terminated.
Article 43	**Terrorist Financing** Recipients must comply with Executive Order 13224 and applicable statutory prohibitions on transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible for ensuring compliance with the Executive Order and laws.
Article 44	**Trafficking Victims Protection Act of 2000(TVPA)** Recipients must comply with the requirements of the government-wide federal award term and condition which implements Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, § 106 (codified as amended at 22 U.S.C. § 7104). The federal award term and condition is in 2 C.F.R. § 175.105, the full text of which is incorporated by reference.
Article 45	**Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107-56** Recipients must comply with the requirements of Pub. L. 107-56, Section 817 of the USA PATRIOT Act, which amends 18 U.S.C. §§ 175–175c.

Article 46	**Use of DHS Seal, Logo and Flags** Recipients must obtain written permission from DHS prior to using the DHS seals, logos, crests, or reproductions of flags, or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.
Article 47	**Whistleblower Protection Act** Recipients must comply with the statutory requirements for whistleblower protections in 10 U.S.C § 470141 U.S.C. § 4712.
Article 48	**Environmental Planning and Historic Preservation (EHP) Review** DHS/FEMA funded activities that could have an impact on the environment are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state, and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; Endangered Species Act; National Historic Preservation Act of 1966, as amended; Clean Water Act; Clean Air Act; National Flood Insurance Program regulations; and any other applicable laws, regulations and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program. Applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The FEMA EHP review process must be completed before funds are released to carry out the proposed project, otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. DHS/FEMA may also need to perform a project closeout review to ensure the applicant complied with all required EHP conditions identified in the initial review. If ground disturbing activities occur during construction, the applicant will monitor the ground disturbance, and if any potential archaeological resources are discovered, the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA. 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 eight-step review process if a proposed action is in a floodplain or wetland 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.

Article 49	**Applicability of DHS Standard Terms and Conditions to Tribal Nations** The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to sub-recipients as a matter of law, regulation, or executive order. If the requirement does not apply to Tribal Nations, or there is a federal law or regulation exempting its application to Tribal Nations, then the acceptance by Tribal Nations, or acquiescence to DHS Standard Terms and Conditions does not change or alter its inapplicability to a Tribal Nation. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribal Nations where it does not already exist.
Article 50	**Acceptance of Post Award Changes** In the event FEMA determines that an error in the award package has been made, or if an administrative change must be made to the award package, recipients will be notified of the change in writing. Once the notification has been made, any subsequent requests for funds will indicate recipient acceptance of the changes to the award. Please email FEMA Grant Management Operations at: ASK-GMD@fema.dhs.gov for any questions.
Article 51	**Disposition of Equipment Acquired Under the Federal Award** When original or replacement equipment acquired under this award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the non-state recipient or subrecipient (including subrecipients of a State or Tribal Nation), must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313(e). State recipients must follow the disposition requirements in accordance with State laws and procedures. 2 C.F.R. section 200.313(b). Tribal Nations must follow the disposition requirements in accordance with Tribal laws and procedures noted in 2 C.F.R. section 200.313(b); and if such laws and procedures do not exist, then Tribal Nations must follow the disposition instructions in 2 C.F.R. section 200.313(e).
Article 52	**Prior Approval for Modification of Approved Budget** Before making any change to the FEMA approved budget for this award, a written request must be submitted and approved by FEMA as required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(i) regarding the transfer of funds among direct cost categories, programs, functions, or activities. For awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently $250,000) and where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved, transferring funds among direct cost categories, programs, functions, or activities is unallowable without prior written approval from FEMA. For purposes of awards that support both construction and non-construction work, 2 C.F.R. section 200.308((f)(9) requires the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. Any deviations from a FEMA approved budget must be reported in the first Federal Financial Report (SF-425) that is submitted following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 53	**Indirect Cost Rate** 2 C.F.R. section 200.211(b)(16) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for the award is stated in the budget documents or other materials approved by FEMA and included in the award file.
Article 54	**Build America, Buy America Act (BABAA) Required Contract Provision & Self-Certification** In addition to the DHS Standard Terms & Conditions regarding Required Use of American Iron, Steel, Manufactured Products, and Construction Materials, recipients and subrecipients of FEMA financial assistance for programs that are subject to BABAA must include a Buy America preference contract provision as noted in 2 C.F.R. section 184.4 and a self-certification as required by the FEMA Buy America Preference in FEMA Financial Assistance Programs for Infrastructure (FEMA Interim Policy #207-22-0001). This requirement applies to all subawards, contracts, and purchase orders for work performed, or products supplied under the FEMA award subject to BABAA.
Article 55	**Summary Description of Award and Subprograms** The purpose of the FY 2025 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community. This HSGP award consists of State Homeland Security Program (SHSP) funding in the amount of $4,362,750 and Urban Area Security Initiative (UASI) funding in the amount of $9,395,829 (Chicago-Naperville-Elgin). These grant programs fund a range of activities, including planning, organization, equipment purchase, training, exercises, and management and administration across all core capabilities and mission areas.
Article 56	**HSGP Performance Goal** In addition to the Biannual Strategy Implementation Report (BSIR) submission requirements outlined in the Preparedness Grants Manual, recipients must demonstrate how the grant-funded project addressed the core capability gap associated with this project and identified in the Threat and Hazard Identification and Risk Analysis (THIRA) or Stakeholder Preparedness Review (SPR) or sustains existing capabilities as applicable. The capability gap reduction must be addressed in the Project Description of the BSIR for each project.
Article 57	**Period of Performance and Budget Period** Notwithstanding language in the Obligating Document or in the other terms of this award package, the Period of Performance and the Budget Period for this grant award is October 1, 2025 to September 30, 2026. The Period of Performance and Budget Period stated in the Obligating Document shall not apply.

Article 58 **State Homeland Security Program: Compliance with Federal Immigration Law**

The following term applies to State Homeland Security Program funding under this award: 1. Prohibition a. The state, territorial, or local recipient is prohibited from being designated by the Department of Homeland Security or the Department of Justice as a sanctuary jurisdiction. If the Department of Homeland Security or Department of Justice designates a state or territory as a sanctuary jurisdiction after the Department of Homeland Security makes a grant award, the state or territorial recipient is prohibited from making any financial obligations under the grant award on or after the date of designation until the Department of Homeland Security removes that designation. The Department of Homeland Security will suspend that portion of the grant award supported by risk-based funding and not make payments to the state or territorial recipient on or after the date of designation until the Department of Homeland Security or Department of Justice removes that designation. This term and condition applies to the funding provided under the relative risk methodology pursuant to Section 2007 of the Homeland Security Act of 2002 (6 U.S.C. § 608) and does not apply to the minimum allocation to that state or territory required by Section 2004(e) of the Homeland Security Act of 2002 (6 U.S.C. § 605(e)). b. The state, territorial, or local recipient is prohibited from making subawards to a state, territorial, or local government that the Department of Homeland Security or Department of Justice has designated as a sanctuary jurisdiction. If the Department of Homeland Security or Department of Justice designates a state, territorial, or local government as a sanctuary jurisdiction after the state, territorial, or local government recipient makes a subaward to that state, territorial, or local government, the state, territorial, or local recipient must suspend the subaward, the state, territorial, or local recipient must not make any additional payments to the state, territorial, or local government, and the state, territorial, or local government is prohibited from making any financial obligations under the subaward on and after the date of designation until the Department of Homeland Security or Department of Justice removes that designation. This term and condition applies to all funding provided to the state or territorial recipient, including both the statutory minimum as well as risk-based funding allocations. c. The Department of Homeland Security designates a state, territory, or local government as a sanctuary jurisdiction if it fails to comply with that requirements set forth in paragraphs 2.a.i to v of this term and condition. 2. Certification a. The state, territorial or local recipient and subrecipients must certify under penalty of perjury pursuant to 28 U.S.C. § 1746, and using a form that is acceptable to the Department of Homeland Security, that they will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials: i. They will comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with the Department of Homeland Security regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, state, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: (1) sending such information to, or requesting or receiving such information from, Federal immigration officials; (2) maintaining such information; or (3) exchanging such information with any other Federal, state, or local government entity. ii. They will comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes. iii. They will honor requests for cooperation, such as participating in joint operations, sharing of

	information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance. iv. They will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien. v. They will not leak or otherwise publicize the existence of an immigration enforcement operation. b. The state or territorial recipient must require a state, territorial, or local government subrecipient to make the certification above before providing them with any funding under the subaward. 3. Materiality and Remedies for Noncompliance This term and condition is material to the Department of Homeland Security's decision to continue with this grant award and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or a local government subrecipient fails to comply with this term and condition.
Article 59	**State Homeland Security Program: Non-Applicability of Specific Terms and Agreement Articles** The following term applies to State Homeland Security Program funding under this award: Notwithstanding their inclusion in this award package, the following terms and Agreement Articles do not apply to this grant award: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled "Communication and Cooperation with the Department of Homeland Security and Immigration Officials" in this award package; and (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled "Anti-Discrimination" in this award package.
Article 60	**State Homeland Security Program: Impact of San Francisco v. Trump Preliminary Injunction** The following term applies to State Homeland Security Program funding under this award: Pursuant to the preliminary injunction order issued on August 22, 2025, in City and County of San Francisco, et al. v. Trump, et al., No. 3:25-cv-01350 (N.D. Cal.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled "Communication and Cooperation with the Department of Homeland Security and Immigration Officials" in this award package; (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled "Anti-Discrimination" in this award package; and (3) the "State Homeland Security Program: Compliance with Federal Immigration Law" Agreement Article. If the preliminary injunction is stayed, vacated, or extinguished, the "State Homeland Security Program: Compliance with Federal Immigration Law" Agreement Article will immediately become effective.

Article 61 **State Homeland Security Program: Impact of State of Illinois v. FEMA Injunction**

Pursuant to the memorandum and order issued on September 24, 2025, in State of Illinois, et al. v. Federal Emergency Management Agency, et. al, No. 25-206 (D. R.I.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the injunction order while the order remains in effect: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled “Communication and Cooperation with the Department of Homeland Security and Immigration Officials” in this award package; (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled “Anti-Discrimination” in this award package; and (3) the “State Homeland Security Program: Compliance with Federal Immigration Law” Agreement Article. If the injunction is stayed, vacated, or extinguished, the “State Homeland Security Program: Compliance with Federal Immigration Law” Agreement Article will immediately become effective.

Article 62 **Urban Area Security Initiative: Compliance with Federal Immigration Law**

The following term applies to Urban Area Security Initiative funding under this award: 1. Prohibition a. The state, territorial, or local government recipient is prohibited from being designated by the Department of Homeland Security or Department of Justice as a sanctuary jurisdiction. If the Department of Homeland Security or Department of Justice designates the state, territory, or local government as a sanctuary jurisdiction after the Department of Homeland Security has made the grant award, the state, territorial, or local government recipient is prohibited from making any financial obligations under the grant award on or after the date of designation until the Department of Homeland Security or Department of Justice removes that designation. The Department of Homeland Security will suspend the grant award and not make payments to the state, local, or territorial recipient on or after the date of designation until the Department of Homeland Security or Department of Justice removes that designation. b. The state, local, or territorial recipient is prohibited from making subawards to a state, local, or territorial government that the Department of Homeland Security or Department of Justice has designated as sanctuary jurisdiction. If the Department of Homeland Security or Department of Justice designates a state, local, or territorial government as a sanctuary jurisdiction after the recipient makes a subaward, the recipient must suspend the subaward, the recipient must not make any additional payments to the subrecipient, and the subrecipient is prohibited from making any financial obligations under the subaward on and after the date of designation until the Department of Homeland Security or Department of Justice removes that designation. c. The Department of Homeland Security designates a state, territory, or local government as a sanctuary jurisdiction if it fails to comply with that requirements set forth in paragraphs 2.a.i to v of this term and condition. 2. Certification a. The state, territorial or local recipient and subrecipients must certify under penalty of perjury pursuant to 28 U.S.C. § 1746, and using a form that is acceptable to the Department of Homeland Security, that they will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials: i. They will comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with the Department of Homeland Security regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, state, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: (1) sending such information to, or requesting or receiving such information from, Federal immigration officials; (2) maintaining such information; or (3) exchanging such information with any other Federal, state, or local government entity. ii. They will comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes. iii. They will honor requests for cooperation, such as participating in joint operations, sharing of information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance. iv. They will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien. v. They will not leak or otherwise publicize the existence of an immigration enforcement operation. b. The state or territorial recipient must require a state, territorial, or local government subrecipient to

	make the certification above before providing them with any funding under the subaward.
Article 63	**Urban Area Security Initiative: Non-Applicability of Specific Terms and Agreement Articles** The following term applies to Urban Area Security Initiative funding under this award: Notwithstanding their inclusion in this award package, the following terms and Agreement Articles do not apply to this grant award: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled “Communication and Cooperation with the Department of Homeland Security and Immigration Officials” in this award package; and (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled “Anti-Discrimination” in this award package.
Article 64	**Urban Area Security Initiative: Impact of San Francisco v. Trump Preliminary Injunction** The following term applies to Urban Area Security Initiative funding under this award: Pursuant to the preliminary injunction order issued on August 22, 2025, in City and County of San Francisco, et al. v. Trump, et al., No. 3:25-cv-01350 (N.D. Cal.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled “Communication and Cooperation with the Department of Homeland Security and Immigration Officials” in this award package; (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled “Anti-Discrimination” in this award package; and (3) the “Urban Area Security Initiative: Compliance with Federal Immigration Law” Agreement Article. If the preliminary injunction is stayed, vacated, or extinguished, the “Urban Area Security Initiative; Compliance with Federal Immigration Law” Agreement Article will immediately become effective.
Article 65	**Urban Area Security Initiative: Impact of State of Illinois v. FEMA Injunction** The following term applies to Urban Area Security Initiative funding under this award: Pursuant to the memorandum and order issued on September 24, 2025, in State of Illinois, et al. v. Federal Emergency Management Agency, et. al, No. 25-206 (D. R.I.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the injunction order while the order remains in effect: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled “Communication and Cooperation with the Department of Homeland Security and Immigration Officials” in this award package; (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled “Anti-Discrimination” in this award package; and (3) the “Urban Area Security Initiative: Compliance with Federal Immigration Law” Agreement Article. If the injunction is stayed, vacated, or extinguished, the “Urban Area Security Initiative: Compliance with Federal Immigration Law” Agreement Article will immediately become effective.

Article 66	**Non-Applicability of Specific Agreement Articles** Notwithstanding its inclusion in this award package, the following Agreement Article does not apply to this grant award: 1. Termination of a Federal Award. This provision is consistent with any terms of the Notice of Funding Opportunity that state Paragraph C.XL (Termination of a Federal Award) of the FY 2025 DHS Standard Terms and Conditions does not apply to this award. Refer to the Notice of Funding Opportunity for the terms governing award termination.
Article 67	**Funding Hold: Additional Information Required** FEMA has placed a funding hold on this award, and $13,758,579 is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down the funds associated with the following Homeland Security Grant Program subprogram(s)/investment(s). To release the funding hold, the recipient must provide a detailed cost breakdown and justification for the investments/projects listed above. FEMA will rescind the funding hold upon its review and approval of the detailed cost breakdown and justification. If you have questions about this funding hold, please contact the DHS/FEMA Headquarters Preparedness Officer.

Obligating document

1. Agreement No.	2. Amendment No.	3. Recipient No.	4. Type of Action	5. Control No.
EMW-2025-SS-05059	N/A	731641239	AWARD	WX04775N2025T, WX04777N2025T

6. Recipient Name and Address	7. Issuing FEMA Office and Address	8. Payment Office and Address
ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY 2200 S DIRKSEN PKWY SPRINGFIELD, IL 62703	Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646	FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742

9. Name of Recipient Project Officer	9a. Phone No.	10. Name of FEMA Project Coordinator	10a. Phone No.
Bob Evans	2175574788	Homeland Security Grant Program Grant Program	1-877-585-3242

11. Effective Date of This Action	12. Method of Payment	13. Assistance Arrangement	14. Performance Period / Budget Period
09/26/2025	OTHER - FEMA GO	COST REIMBURSEMENT	**Performance Period** 10/01/2025 to 09/30/2026 **Budget Period** 10/01/2025 to 09/30/2026

15. Description of Action a. (Indicate funding data for awards or financial changes)

Program Name Abbreviation	Assistance Listing No.	Accounting Data (ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
HSGP	97.067	2025-FA-GG01 - P410-xxxx-4101-D	$0.00	$4,362,750.00	$4,362,750.00	See Totals
HSGP	97.067	2025-FA-GH01 - P410-xxxx-4101-D	$0.00	$9,395,829.00	$9,395,829.00	See Totals
		Totals	$0.00	$13,758,579.00	$13,758,579.00	$0.00

b. To describe changes other than funding data or financial changes, attach schedule and check here:
N/A

~~**16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)**~~
This field is not applicable for digitally signed grant agreements

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title) Stacey Street, Deputy Assistant Administrator Grants Program Directorate	DATE 09/26/2025

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 12

Illinois Fiscal Year 2025 EMPG Award Letter

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 09/26/2025

FEMA

Bob Evans
ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY
2200 SOUTH DIRKSEN PARKWAY
SPRINGFIELD, IL 62703

EMC-2025-EP-05004

Dear Bob Evans,

Congratulations on behalf of the Department of Homeland Security, your application submitted for the Fiscal Year (FY) 2025 Emergency Management Performance Grants, has been approved in the amount of $9,486,374.00 in Federal funding. This award of federal assistance is executed as a Grant. As a condition of this award, you are required to contribute non-Federal funds equal to or greater than $9,486,374.00 for a total approved budget of $18,972,748.00. Please see the Fiscal Year 2025 Emergency Management Performance Grant (EMPG) Program for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Award Summary - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- Fiscal Year (FY) 2025 Emergency Management Performance Grants Notice of Funding Opportunity
- FEMA Preparedness Grants Manual

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

William E. Ryan

William Ryan

Director, Grants Management Division
Region 5

Award Summary

Program: Fiscal Year 2025 Emergency Management Performance Grant
Recipient: ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY
UEI-EFT: JLCNDRM34JD5
Award number: EMC-2025-EP-05004

Summary description of award

The Fiscal Year (FY) 2025 Emergency Management Performance Grant (EMPG) Program is one of the grant programs that constitute DHS/FEMA's focus on all-hazards emergency preparedness. These grant programs are part of a comprehensive set of measures authorized by Congress and implemented by DHS/FEMA to assist state, local, tribal, and territorial emergency management agencies to implement the National Preparedness System and the National Preparedness Goal of a secure and resilient nation

Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	$3,918,792.00
Fringe benefits	$3,869,703.86
Travel	$219,000.00
Equipment	$289,924.40
Supplies	$34,000.00
Contractual	$1,283,710.96
Construction	$0.00
Other	$9,357,616.78
Indirect charges	$0.00
Federal	$9,486,374.00
Non-federal	$9,486,374.00
Total	$18,972,748.00
Program Income	$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2025 EMPG NOFO.

Approved request details:

Investment

Operational support

DESCRIPTION

Local Emergency management services

QUANTITY	UNIT PRICE	TOTAL
1	$8,000,000.00	$8,000,000.00

BUDGET CLASS

Other

Program management

DESCRIPTION

Contractual costs for day-to-day emergency management for all Agency building leases including facility maintenance

QUANTITY	UNIT PRICE	TOTAL
1	$1,283,710.96	$1,283,710.96

BUDGET CLASS

Contractual

Other Authorized Equipment

DESCRIPTION

IT Equipment to support all Agency functions for day-to-day emergency management, including all software maintenance and leases for emergency response, laptops and hard drive equipment, servers, copier and printer leases. Without IT equipment and support, Illinois Emergency Management Office of Homeland Security personnel would not be able to do there day to day work nor provide support to the State of Illinois in the event of an emergency

QUANTITY	UNIT PRICE	TOTAL
1	$289,924.40	$289,924.40

BUDGET CLASS

Equipment

Full- or part-time staff or contractors/consultants

DESCRIPTION

Included on Personnel Sheet for State and Local employees. Illinois EM Personnel will engage the whole of community while executing Equitible programs that address strategic, operational, and/or tactical-level approaches to meet defined project objectives including the implementation of the National Qualification Standards (NQS). Illinois Emergency Personnel staff will review Annex requirements for the local Emergency Operations Plan (EOP) that address identified capability shortfalls. Staff will identify and assign specific areas of responsibility for performing functions in response to an emergency or disaster. Areas of responsibility will address equity and the needs of the impacted population as defined by hazard and risk assessments.

QUANTITY	UNIT PRICE	TOTAL
1	$3,869,703.86	$3,869,703.86

BUDGET CLASS

Fringe benefits

Full- or part-time staff or contractors/consultants

DESCRIPTION

Included on Personnel Sheet for State and Local employees. Illinois EM Personnel will engage the whole of community while executing Equitible programs that address strategic, operational, and/or tactical-level approaches to meet defined project objectives including the implementation of the National Qualification Standards (NQS). Illinois Emergency Personnel staff will review Annex requirements for the local Emergency Operations Plan (EOP) that address identified capability shortfalls. Staff will identify and assign specific areas of responsibility for performing functions in response to an emergency or disaster. Areas of responsibility will address equity and the needs of the impacted population as defined by hazard and risk assessments.

QUANTITY	UNIT PRICE	TOTAL
1	$3,918,792.00	$3,918,792.00

BUDGET CLASS

Personnel

Other Authorized Equipment

DESCRIPTION

Other costs associated with day-to-day emergency management by the Agency including telecommunications, utilities, cable, internet at all facilities, and operations of automobiles

QUANTITY	UNIT PRICE	TOTAL
1	$1,357,616.78	$1,357,616.78

BUDGET CLASS

Other

Supplies

DESCRIPTION

Supplies for day-to-day emergency management including paper for printing, office supplies, postage, clothing for trainings, exercise/training disposable items, and catering for full scale exercises. Without the day-to-day supplies Illinois Emergency Management office of Homeland security would not be able to develop a training calendar to address gaps by regions, create and implement damage assessment planning, training, and exercise or participate in training and an awareness campaign.

QUANTITY	UNIT PRICE	TOTAL
1	$34,000.00	$34,000.00

BUDGET CLASS

Supplies

Travel

DESCRIPTION

Travel for Agency funded personnel to attend FEMA workshops (lodging, mileage, per diem), training courses including FEMA Professional Development Series, Regional Coordinators and staff to meet with Regional EMA Coordinators, Regional and statewide exercises, IEMA Training Summit. Lodging, mileage, and per diem is included if approved for each EMPG travel activity. Personnel will travel to attend and teach Statewide training for all NIMS/ICS and FEMA Professional Development Series along with Developing a training calendar to address gaps by regions.

QUANTITY	UNIT PRICE	TOTAL
1	$219,000.00	$219,000.00

BUDGET CLASS

Travel

Of the total Federal funds, $9486374.00 has been placed on hold. See the following terms in the Agreement Articles for more details:

Article number	Title	Payment hold
Article 55	Funding Hold: Detailed Cost Breakdown & Justification Required	$9486374.00

Agreement Articles

Program: Fiscal Year 2025 Emergency Management Performance Grant
Recipient: ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY
UEI-EFT: JLCNDRM34JD5
Award number: EMC-2025-EP-05004

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Article 1	**Assurance, Administrative Requirements, Cost Principles, Representations, and Certifications** I. Recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non- Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances, as instructed.
Article 2	**General Acknowledgements and Assurances** Recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in effect as of the federal award date and located in Title 2, Code of Federal Regulations, Part 200 and adopted by DHS at 2 C.F.R. § 3002.10. All recipients and subrecipients must acknowledge and agree to provide DHS access to records, accounts, documents, information, facilities, and staff pursuant to 2 C.F.R. § 200.337. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal award and permit access to facilities and personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements required by law, federal regulation, Notice of Funding Opportunity, federal award specific terms and conditions, and/or DHS Component program guidance. Organization costs related to data and evaluation are allowable. The definition of data and evaluation costs is in 2 C.F.R. § 200.455(c), the full text of which is incorporated by reference. V. Recipients must complete DHS Form 3095 within 60 days of receipt of the Notice of Award for the first award under which this term applies. For further instructions and to access the form, please visit: https://www.dhs.gov/civil-rightsresources-recipients-dhs-financial-assistance.
Article 3	**Acknowledgement of Federal Funding from DHS** Recipients must acknowledge their use of federal award funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal award funds.
Article 4	**Activities Conducted Abroad** Recipients must coordinate with appropriate government authorities when performing project activities outside the United States obtain all appropriate licenses, permits, or approvals.
Article 5	**Age Discrimination Act of 1975** Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (codified as amended at Title 42, U.S. Code § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article 6	**Americans with Disabilities Act of 1990** Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
Article 7	**Best Practices for Collection and Use of Personally Identifiable Information** (1) Recipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. (2) Definition. DHS defines "PII" as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article 8	**CHIPS and Science Act of 2022, Public Law 117-167 CHIPS** (1) Recipients of DHS research and development (R&D) awards must report to the DHS Component research program office any finding or determination of sex based and sexual harassment and/or an administrative or disciplinary action taken against principal investigators or co-investigators to be completed by an authorized organizational representative (AOR) at the recipient institution. (2) Notification. An AOR must disclose the following information to agencies within 10 days of the date/the finding is made, or 10 days from when a recipient imposes an administrative action on the reported individual, whichever is sooner. Reports should include: (a) Award number, (b) Name of PI or Co-PI being reported, (c) Awardee name, (d) Awardee address, (e) AOR name, title, phone, and email address, (f) Indication of the report type: (i) Finding or determination has been made that the reported individual violated awardee policies or codes of conduct, statutes, or regulations related to sexual harassment, sexual assault, or other forms of harassment, including the date that the finding was made. (ii) Imposition of an administrative or disciplinary action by the recipient on the reporting individual related to a finding/determination or an investigation of an alleged violation of recipient policy or codes of conduct, statutes, or regulations, or other forms of harassment. (iii) The date and nature of the administrative/disciplinary action, including a basic explanation or description of the event, which should not disclose personally identifiable information regarding any complaints or individuals involved. Any description provided must be consistent with the Family Educational Rights in Privacy Act. (3) Definitions. (a) An “authorized organizational representative (AOR)” is an administrative official who, on behalf of the proposing institution, is empowered to make certifications and representations and can commit the institution to the conduct of a project that an agency is being asked to support as well as adhere to various agency policies and award requirements. (b) “Principal investigators and co-principal investigators” are award personnel supported by a grant, cooperative agreement, or contract under Federal law. (c) A “reported individual” refers to recipient personnel who have been reported to a federal agency for potential sexual harassment violations. (d) “Sex based harassment” means a form of sex discrimination and includes harassment based on sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. (e) “Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile, or offensive work environment, whether such activity is carried out by a supervisor or by a co-worker, volunteer, or contractor.
Article 9	**Civil Rights Act of 1964 – Title VI** Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21. Recipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA’s implementing regulations at 44 C.F.R. Part 7.

Article 10	**Civil Rights Act of 1968** Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90284 (codified as amended at 42 U.S.C. § 3601 et seq.) which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection. therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units— i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)
Article 11	**Communication and Cooperation with the Department of Homeland Security and Immigration Officials** (1) All recipients and other recipients of funds under this award must agree that they will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials: (a) They must comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with DHS regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: 1) sending such information to, or requesting or receiving such information from, Federal immigration officials; 2) maintaining such information; or 3) exchanging such information with any other Federal, State, or local government entity; (b) They must comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes; (c) That they will honor requests for cooperation, such as participation in joint operations, sharing of information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance; (d) That they will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien; and (e) That they will not leak or otherwise publicize the existence of an immigration enforcement operation. (2) The recipient must certify under penalty of perjury pursuant to 28 U.S.C. § 1746 and using a form that is acceptable to DHS, that it will comply with the requirements of this term. Additionally, the recipient agrees that it will require any subrecipients or contractors to certify in the same manner that they will comply with this term prior to providing them with any funding under this award. (3) The recipient agrees that compliance with this term is material to the Government's decision to make or continue with this award and that the Department of homeland Security may terminate this grant, or take any other allowable enforcement action, if the recipient fails to comply with this term.

Article 12	**Copyright** Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.
Article 13	**Debarment and Suspension** Recipients must comply with the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689 set forth at 2 C.F.R. Part 180 as implemented by DHS at 2 C.F.R. Part 3000. These regulations prohibit recipients from entering into covered transactions (such as subawards and contracts) with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.
Article 14	**Drug-Free Workplace Regulations** Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government- wide implementation (2 C.F.R. Part 182) of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).
Article 15	**Duplicative Costs** Recipients are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing requirements of any other federal award in either the current or a prior budget period. See 2 C.F.R. § 200.403(f). However, recipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal award terms and conditions.
Article 16	**Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX** Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17. Recipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 19.
Article 17	**Energy Policy and Conservation Act** Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article 18	**Equal Treatment of Faith-Based Organizations** It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.
Article 19	**Anti-Discrimination** Recipients must comply with all applicable Federal anti-discrimination laws material to the government's payment decisions for purposes of 31 U.S.C. § 372(b)(4). (1) Definitions. As used in this clause – (a) DEI means "diversity, equity, and inclusion." (b) DEIA means "diversity, equity, inclusion, and accessibility." (c) Discriminatory equity ideology has the meaning set forth in Section 2(b) of Executive Order 14190 of January 29, 2025. (d) Federal anti-discrimination laws mean Federal civil rights law that protect individual Americans from discrimination on the basis of race, color, sex, religion, and national origin. (e) Illegal immigrant means any alien, as defined in 8 U.S.C. § 1101(a)(3), who has no lawful immigration status in the United States.(2) Grant award certification. (a) By accepting the grant award, recipients are certifying that: (i) They do not, and will not during the term of this financial assistance award, operate any programs that advance or promote DEI, DEIA, or discriminatory equity ideology in violation of Federal anti-discrimination laws; and (ii) They do not engage in and will not during the term of this award engage in, a discriminatory prohibited boycott. (iii) They do not, and will not during the term of this award, operate any program that benefits illegal immigrants or incentivizes illegal immigration. (3) DHS reserves the right to suspend payments in whole or in part and/or terminate financial assistance awards if the Secretary of Homeland Security or her designee determines that the recipient has violated any provision of subsection (2). (4) Upon suspension or termination under subsection (3), all funds received by the recipient shall be deemed to be in excess of the amount that the recipient is determined to be entitled to under the Federal award for purposes of 2 C.F.R. § 200.346. As such, all amounts received will constitute a debt to the Federal Government that may be pursued to the maximum extent permitted by law.
Article 20	**False Claims Act and Program Fraud Civil Remedies** Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)
Article 21	**Federal Debt Status** All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

Article 22	**Federal Leadership on Reducing Text Messaging while Driving** Recipients are encouraged to adopt and enforce policies that ban text messaging while driving recipient-owned, recipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Recipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of Executive Order 13513.
Article 23	**Fly America Act of 1974** Recipients must comply with Preference for U.S. Flag Air Carriers (a list of certified air carriers can be found at: Certificated Air Carriers List | US Department of Transportation, https://www.transportation.gov/policy/aviation-policy/certificated-aircarriers-list)for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.
Article 24	**Hotel and Motel Fire Safety Act of 1990** Recipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a.
Article 25	**John S. McCain National Defense Authorization Act of Fiscal Year 2019** Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described 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 statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.
Article 26	**Limited English Proficiency (Civil Rights Act of 1964, Title VI)** Recipients must comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance-published-help- department-supported-organizationsprovide-meaningful-access-people-limited and additional resources on http://www.lep.gov.

Article 27	**Lobbying Prohibitions** Recipients must comply with 31 U.S.C. § 1352 and 6 C.F.R. Part 9, which provide that none of the funds provided under a federal award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification. Per 6 C.F.R. Part 9, recipients must file a lobbying certification form as described in Appendix A to 6 C.F.R. Part 9 or available on Grants.gov as the Grants.gov Lobbying Form and file a lobbying disclosure form as described in Appendix B to 6 C.F.R. Part 9 or available on Grants.gov as the Disclosure of Lobbying Activities (SF-LLL).
Article 28	**National Environmental Policy Act** Recipients must comply with the requirements of the National Environmental Policy Act of 1969, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.
Article 29	**National Security Presidential Memorandum-33 (NSPM-33) and provisions of the CHIPS and Science Act of 2022, Pub. L. 117-167, Section 10254** (1) Recipient research institutions (“covered institutions”) must comply with the requirements in NSPM-33 and provisions of Pub. L.117-167, Section 10254 (codified at 42 U.S.C. § 18951) certifying that the institution has established and operates a research security program that includes elements relating to: (a) cybersecurity; (b) foreign travel security; (c) research security training; and (d) export control training, as appropriate. (2) Definition. “Covered institutions” means recipient research institutions receiving federal Research and Development (R&D) science and engineering support “in excess of $50 million per year.”
Article 30	**Non-Supplanting Requirement** Recipients of federal awards under programs that prohibit supplanting by law must ensure that federal funds supplement but do not supplant non-federal funds that, in the absence of such federal funds, would otherwise have been made available for the same purpose.
Article 31	**Notice of Funding Opportunity Requirements** All the instructions, guidance, limitations, scope of work, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this federal award are incorporated by reference. All recipients must comply with any such requirements set forth in the NOFO. If a condition of the NOFO is inconsistent with these terms and conditions and any such terms of the federal award, the condition in the NOFO shall be invalid to the extent of the inconsistency. The remainder of that condition and all other conditions set forth in the NOFO shall remain in effect.

Article 32	**Patents and Intellectual Property Rights** Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq. and applicable regulations governing inventions and patents, including the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R. § 401.14.
Article 33	**Presidential Executive Orders** Recipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference.
Article 34	**Procurement of Recovered Materials** States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act at 42 U.S.C. § 6962) and 2 C.F.R. § 200.323. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
Article 35	**Rehabilitation Act of 1973** Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
Article 36	**Reporting Recipient Integrity and Performance Matters** If the total value of any 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 the federal award, then the recipient must comply with the requirements set forth in the government-wide federal award term and condition for Recipient Integrity and Performance Matters is in 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated by reference.
Article 37	**Reporting Subawards and Executive Compensation** For federal awards that total or exceed $30,000, recipients are required to comply with the requirements set forth in the government-wide federal award term and condition on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.

Article 38	**Required Use of American Iron, Steel, Manufactured Products, and Construction Materials** (1) Recipients of a federal award from a financial assistance program that provides funding for infrastructure are hereby notified that none of the funds provided under this federal award may be used for a project for infrastructure unless: (a) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (b) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (c) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. (2) 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. (3) Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements. (a) When the Federal agency has determined that one of the following exceptions applies, the federal awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that: (i) applying the domestic content procurement preference would be inconsistent with the public interest; (ii) 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; or (iii) 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 percent. (b) A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. (c) There may be instances where a federal award qualifies, in whole or in part, for an existing waiver described at “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. (4) Definitions. The definitions applicable to this term are set forth at 2 C.F.R. § 184.3, the full text of which is incorporated by reference.

Article 39	**SAFECOM** Recipients receiving federal awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. The SAFECOM Guidance is updated annually and can be found at Funding and Sustainment | CISA.
Article 40	**Subrecipient Monitoring and Management** Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.
Article 41	**System for Award Management and Unique Entity Identifier Requirements** Recipients are required to comply with the requirements set forth in the governmentwide federal award term and condition regarding the System for Award Management and Unique Entity Identifier Requirements in 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated reference.
Article 42	**Termination of a Federal Award** (1) By DHS. DHS may terminate a federal award, in whole or in part, for the following reasons: (a) If the recipient fails to comply with the terms and conditions of the federal award; (b) 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; or (c) Pursuant to the terms and conditions of the federal award, including, to the extent authorized by law, if the federal award no longer effectuates the program goals or agency priorities. (3) By the Recipient. The recipient may terminate the federal award, in whole or in part, by sending written notification to DHS stating the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. However, if DHS determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, DHS may terminate the federal award in its entirety. (4) Notice. Either party will provide written notice of intent to terminate for any reason to the other party no less than 30 calendar days prior to the effective date of the termination. (5) Compliance with Closeout Requirements for Terminated Awards. The recipient must continue to comply with closeout requirements in 2 C.F.R. §§ 200.344200.345 after an award is terminated.
Article 43	**Terrorist Financing** Recipients must comply with Executive Order 13224 and applicable statutory prohibitions on transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible for ensuring compliance with the Executive Order and laws.

Article 44	**Trafficking Victims Protection Act of 2000(TVPA)** Recipients must comply with the requirements of the government-wide federal award term and condition which implements Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, § 106 (codified as amended at 22 U.S.C. § 7104). The federal award term and condition is in 2 C.F.R. § 175.105, the full text of which is incorporated by reference.
Article 45	**Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107-56** Recipients must comply with the requirements of Pub. L. 107-56, Section 817 of the USA PATRIOT Act, which amends 18 U.S.C. §§ 175–175c.
Article 46	**Use of DHS Seal, Logo and Flags** Recipients must obtain written permission from DHS prior to using the DHS seals, logos, crests, or reproductions of flags, or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.
Article 47	**Whistleblower Protection Act** Recipients must comply with the statutory requirements for whistleblower protections in 10 U.S.C § 470141 U.S.C. § 4712.

Article 48	**Environmental Planning and Historic Preservation (EHP) Review** DHS/FEMA funded activities that could have an impact on the environment are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state, and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; Endangered Species Act; National Historic Preservation Act of 1966, as amended; Clean Water Act; Clean Air Act; National Flood Insurance Program regulations; and any other applicable laws, regulations and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program. Applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The FEMA EHP review process must be completed before funds are released to carry out the proposed project, otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. DHS/FEMA may also need to perform a project closeout review to ensure the applicant complied with all required EHP conditions identified in the initial review. If ground disturbing activities occur during construction, the applicant will monitor the ground disturbance, and if any potential archaeological resources are discovered, the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA. 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 eight-step review process if a proposed action is in a floodplain or wetland 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.
Article 49	**Applicability of DHS Standard Terms and Conditions to Tribal Nations** The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to sub-recipients as a matter of law, regulation, or executive order. If the requirement does not apply to Tribal Nations, or there is a federal law or regulation exempting its application to Tribal Nations, then the acceptance by Tribal Nations, or acquiescence to DHS Standard Terms and Conditions does not change or alter its inapplicability to a Tribal Nation. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribal Nations where it does not already exist.

Article 50	**Acceptance of Post Award Changes** In the event FEMA determines that an error in the award package has been made, or if an administrative change must be made to the award package, recipients will be notified of the change in writing. Once the notification has been made, any subsequent requests for funds will indicate recipient acceptance of the changes to the award. Please email FEMA Grant Management Operations at: ASK-GMD@fema.dhs.gov for any questions.
Article 51	**Disposition of Equipment Acquired Under the Federal Award** When original or replacement equipment acquired under this award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the non-state recipient or subrecipient (including subrecipients of a State or Tribal Nation), must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313(e). State recipients must follow the disposition requirements in accordance with State laws and procedures. 2 C.F.R. section 200.313(b). Tribal Nations must follow the disposition requirements in accordance with Tribal laws and procedures noted in 2 C.F.R. section 200.313(b); and if such laws and procedures do not exist, then Tribal Nations must follow the disposition instructions in 2 C.F.R. section 200.313(e).
Article 52	**Prior Approval for Modification of Approved Budget** Before making any change to the FEMA approved budget for this award, a written request must be submitted and approved by FEMA as required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(i) regarding the transfer of funds among direct cost categories, programs, functions, or activities. For awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently $250,000) and where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved, transferring funds among direct cost categories, programs, functions, or activities is unallowable without prior written approval from FEMA. For purposes of awards that support both construction and non-construction work, 2 C.F.R. section 200.308((f)(9) requires the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. Any deviations from a FEMA approved budget must be reported in the first Federal Financial Report (SF-425) that is submitted following any budget deviation, regardless of whether the budget deviation requires prior written approval.
Article 53	**Indirect Cost Rate** 2 C.F.R. section 200.211(b)(16) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for the award is stated in the budget documents or other materials approved by FEMA and included in the award file.

Article 54	**Build America, Buy America Act (BABAA) Required Contract Provision & Self-Certification** In addition to the DHS Standard Terms & Conditions regarding Required Use of American Iron, Steel, Manufactured Products, and Construction Materials, recipients and subrecipients of FEMA financial assistance for programs that are subject to BABAA must include a Buy America preference contract provision as noted in 2 C.F.R. section 184.4 and a self-certification as required by the FEMA Buy America Preference in FEMA Financial Assistance Programs for Infrastructure (FEMA Interim Policy #207-22-0001). This requirement applies to all subawards, contracts, and purchase orders for work performed, or products supplied under the FEMA award subject to BABAA.
Article 55	**Funding Hold: Detailed Cost Breakdown & Justification Required** FEMA has placed a funding hold on this award, and $9,486,374.00 is on hold in the FEMA financial systems. The ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY is prohibited from obligating, expending, or drawing down the federal funds associated with the following projects/investments. • Project/Investment # Investment Local Emergency Management - Project Emergency Management Assistance and Project State EMPG Project : $9,486,374.00, .. To release the funding hold, the recipient must provide a detailed cost breakdown and justification for the projects/investments listed above. FEMA will rescind the funding hold upon its review and approval of the detailed cost breakdown and justification. If you believe this funding hold was placed in error, please contact the relevant Program Analyst or Grants Management Specialist.

Article 56	**Compliance with Federal Immigration Law** 1. Prohibition a. The state or territorial recipient is prohibited from making subawards to a local government that the Department of Homeland Security or the Department of Justice has designated as a sanctuary jurisdiction. If the Department of Homeland Security or Department of Justice designates a local government as a sanctuary jurisdiction after the state or territorial recipient makes a subaward to that local government, the state or territorial recipient must suspend the subaward, the state or territorial recipient must not make any additional payments to the local government, and the local government is prohibited from making any financial obligations under the subaward on and after the date of designation until the Department of Homeland Security or Department of Justice removes that designation. b. The Department of Homeland Security designates a local government as a sanctuary jurisdiction if it fails to comply with the requirements set forth in paragraphs 2.a.i to v of this term and condition. 2. Certification a. The state or territorial recipient must require all local government subrecipients to certify under penalty of perjury pursuant to 28 U.S.C. § 1746, and using a form that is acceptable to the Department of Homeland Security, that the local government will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials: i. They will comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with the Department of Homeland Security regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, state, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: (1) sending such information to, or requesting or receiving such information from, Federal immigration officials; (2) maintaining such information; or (3) exchanging such information with any other Federal, state, or local government entity. ii. They will comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes. iii. They will honor requests for cooperation, such as participating in joint operations, sharing of information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance. iv. They will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien. v. They will not leak or otherwise publicize the existence of an immigration enforcement operation. b. The state or territorial recipient must require a local government subrecipient to make the certification above before providing them with any funding under the subaward. 3. Materiality and Remedies for Noncompliance This term and condition is material to the Department of Homeland Security's decision to make this grant award and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or any local government subrecipient fails to comply with this term and condition.

Article 57	**Non-Applicability of Specific Terms and Agreement Articles** Notwithstanding their inclusion in this award package, the following terms and Agreement Articles do not apply to this grant award: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled "Communication and Cooperation with the Department of Homeland Security and Immigration Officials" in this award package; and (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled "Anti-Discrimination" in this award package
Article 58	**Impact of San Francisco v. Trump Preliminary Injunction** Pursuant to the preliminary injunction order issued on August 22, 2025, in City and County of San Francisco, et al. v. Trump, et al., No. 3:25-cv-01350 (N.D. Cal.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled "Communication and Cooperation with the Department of Homeland Security and Immigration Officials" in this award package; (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled "Anti-Discrimination" in this award package; and (3) the "Compliance with Federal Immigration Law" Agreement Article. If the preliminary injunction is stayed, vacated, or extinguished, the "Compliance with Federal Immigration Law" Agreement Article will immediately become effective.
Article 59	**Impact of State of Illinois v. FEMA Injunction** Pursuant to the memorandum and order issued on September 24, 2025, in State of Illinois, et al. v. Federal Emergency Management Agency, et. al, No. 25-206 (D. R.I.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the injunction order while the order remains in effect: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled "Communication and Cooperation with the Department of Homeland Security and Immigration Officials" in this award package; (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled "Anti-Discrimination" in this award package; and (3) the "Compliance with Federal Immigration Law" Agreement Article. If the injunction is stayed, vacated, or extinguished, the "Compliance with Federal Immigration Law" Agreement Article will immediately become effective.

Article 60	**Non-Applicability of Specific Agreement Articles** Notwithstanding its inclusion in this award package, the following Agreement Article does not apply to this grant award: 1. Termination of a Federal Award This provision is consistent with any terms of the Notice of Funding Opportunity that state Paragraph C.XL (Termination of a Federal Award) of the FY 2025 DHS Standard Terms and Conditions does not apply to this award. Refer to the Notice of Funding Opportunity for the terms governing award termination.
Article 61	**Period of Performance and Budget Period** Notwithstanding language in the Obligating Document or in the other terms of this award package, the Period of Performance and the Budget Period for this grant award is October 1, 2025 to September 30, 2026. The Period of Performance and Budget Period stated in the Obligating Document shall not apply.
Article 62	**Funding Hold: Verification of State's Population** FEMA has placed a funding hold on this award, and the full amount of the award is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down the funds associated with the award. To release the funding hold, the SAA must provide a certification of the recipient state's population as of September 30, 2025. In so doing, the State will explain the methodology it used to determine its population and certify that its reported population does not include individuals that have been removed from the State pursuant to the immigration laws of the United States. FEMA will rescind the funding hold upon its review and approval of the State's methodology and population certification.

Obligating document

1. Agreement No.	2. Amendment No.	3. Recipient No.	4. Type of Action	5. Control No.
EMC-2025-EP-05004	N/A	731641239	AWARD	CX00131N2025T

6. Recipient Name and Address	7. Issuing FEMA Office and Address	8. Payment Office and Address
ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY 2200 S DIRKSEN PKWY SPRINGFIELD, IL 62703	FEMA Region V 536 S. Clark Street Chicago, Illinois 60605 312-408-5500	FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742

9. Name of Recipient Project Officer	9a. Phone No.	10. Name of FEMA Project Coordinator	10a. Phone No.
Bob Evans	2175574788	Emergency Management Performance Grant Grant Program	1-877-585-3242

11. Effective Date of This Action	12. Method of Payment	13. Assistance Arrangement	14. Performance Period
09/26/2025	OTHER - FEMA GO	COST SHARING	10/01/2025 to 09/30/2026 **Budget Period** 10/01/2025 to 09/30/2026

15. Description of Action a. (Indicate funding data for awards or financial changes)

Program Name Abbreviation	Assistance Listing No.	Accounting Data (ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
EMPG	97.042	2025-FA-GA01 - R057-xxxx-4101-D	$0.00	$9,486,374.00	$9,486,374.00	See Totals
		Totals	$0.00	$9,486,374.00	$9,486,374.00	$9,486,374.00

b. To describe changes other than funding data or financial changes, attach schedule and check here:
N/A

~~**16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)**~~
This field is not applicable for digitally signed grant agreements

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title) **William Ryan, Director, Grants Management Division Region 5**	**DATE** **09/26/2025**

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, *et al.*,

Defendants.

No. 1:25-cv-00495

EXHIBIT 13

Fed. Emergency Mgmt. Agency, *Fiscal Year 2023 SHSP/UASI Risk Methodology Updates* (Feb. 17, 2023)

Fiscal Year 2023 SHSP/UASI Risk Methodology Updates

New State Homeland Security Program/Urban Area Security Initiative Risk Methodology

Due to the evolving threats that we face in the United States, the Fiscal Year (FY) 2023 State Homeland Security Program (SHSP)/Urban Area Security Initiative (UASI) risk methodology has been updated.

Funds available under SHSP and UASI are statutorily required to support jurisdictions' capabilities to prevent, protect against, mitigate, and respond to acts of terrorism. When the SHSP and UASI grant programs were created in the immediate aftermath of 9/11/2001, foreign terrorist threats were the predominant threat. While foreign terrorists remain a dangerous threat to the United States, the threat to the homeland has increased in complexity, diversity, and geography over the last twenty years. Today, one of the most significant terrorism threats to the United States comes from lone offenders and small groups of individuals who commit acts of violence motivated by a broad range of violent, racial, ethnic, political, religious, anti-government, societal, or personal ideological beliefs and grievances.[1] These U.S.-based lone actors present a unique challenge to law enforcement and intelligence agencies. Even with these lone offenders, foreign terrorist organizations such as al-Qa'ida and ISIS maintain a desire to conduct large-scale attacks on the homeland and require continued vigilance.

Since 9/11, other threats have emerged and are increasing. Of note, the cybersecurity threat has grown exponentially; this threat now dominates our efforts to secure our nation's critical infrastructure. Additionally, the hostile actions of adverse nation states, the level of global and western hemisphere migration, and the severity and frequency of extreme weather events all have increased dramatically. We have seen this new threat landscape reach medium- and small-sized jurisdictions and remote locations, and now encompass a greater swath of our country than before, to include so-called "soft targets" and other targets of opportunity.

As a result, the risk methodology is changing to be more in line with the current complex and diverse threat environment and the intended use of the SHSP/UASI grants. DHS and FEMA have updated this year's risk methodology after extensive stakeholder engagement, and we commit to continuing that engagement through the FY 2023 application period to ensure our grant programs are as simple and easy to access as possible.

DHS and FEMA will conduct a review of the risk methodology for possible additional changes in FY 2024 and beyond, to keep the SHSP/UASI risk methodology in step with the threats facing the United States. Stakeholder engagement will occur as part of any future review.

To reflect the evolving nature of the terrorist threat, the changes to the methodology are likely to increase the number of Metropolitan Statistical Areas (MSAs) receiving UASI funds. We will not significantly diminish funds of the jurisdictions that currently rely on them.

The change in the risk methodology will allow many jurisdictions to build new capacity to address the complex and diverse threat environment, while allowing other jurisdictions to maintain current capacity to the extent it meets the new threat environment.

[1] *Intelligence in Depth, Key Threats to the Homeland Through 2022*, U.S. Department of Homeland Security, Office of Intelligence and Analysis.

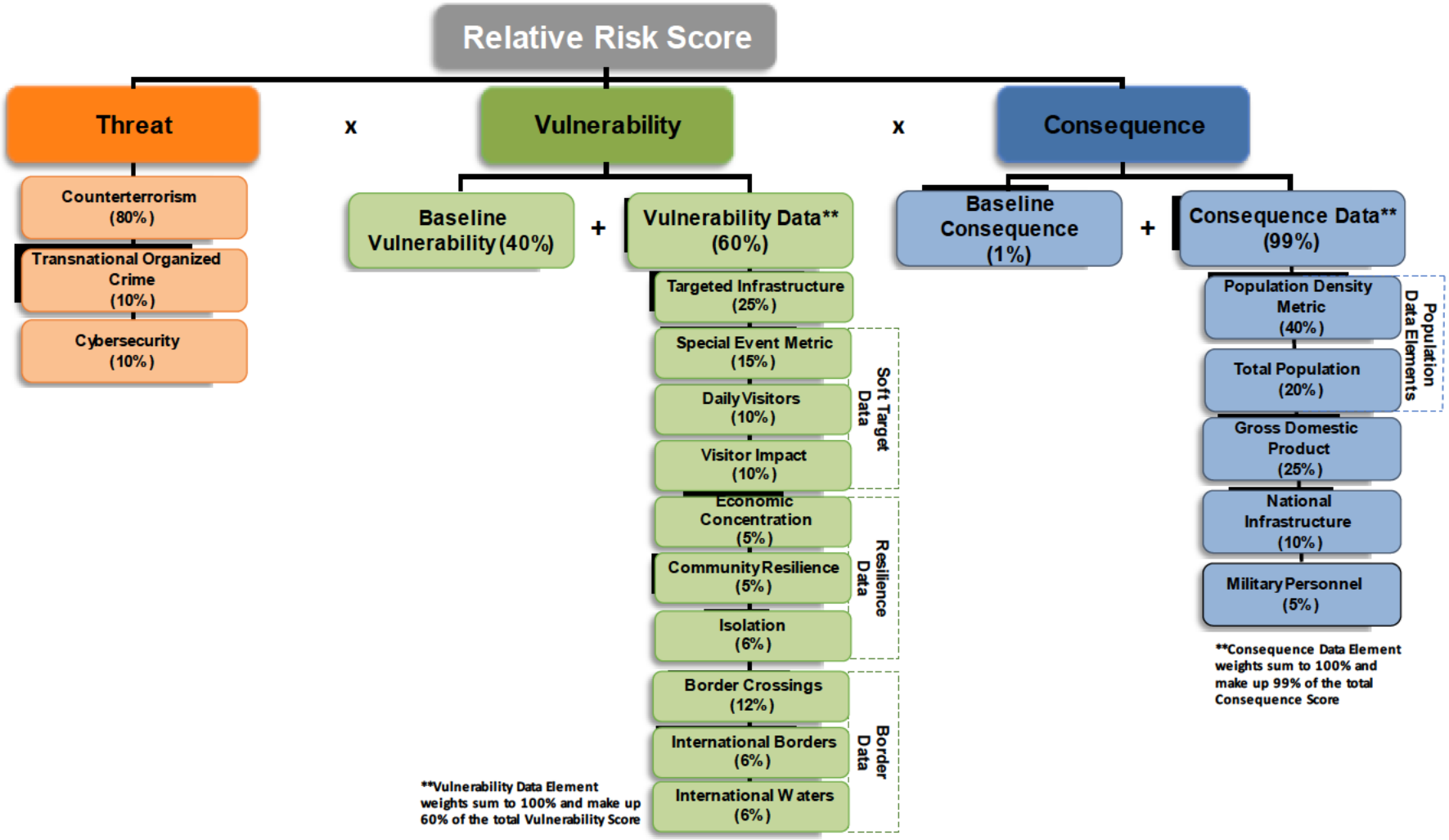

Figure 1: FY 2023 SHSP and UASI Risk Methodology

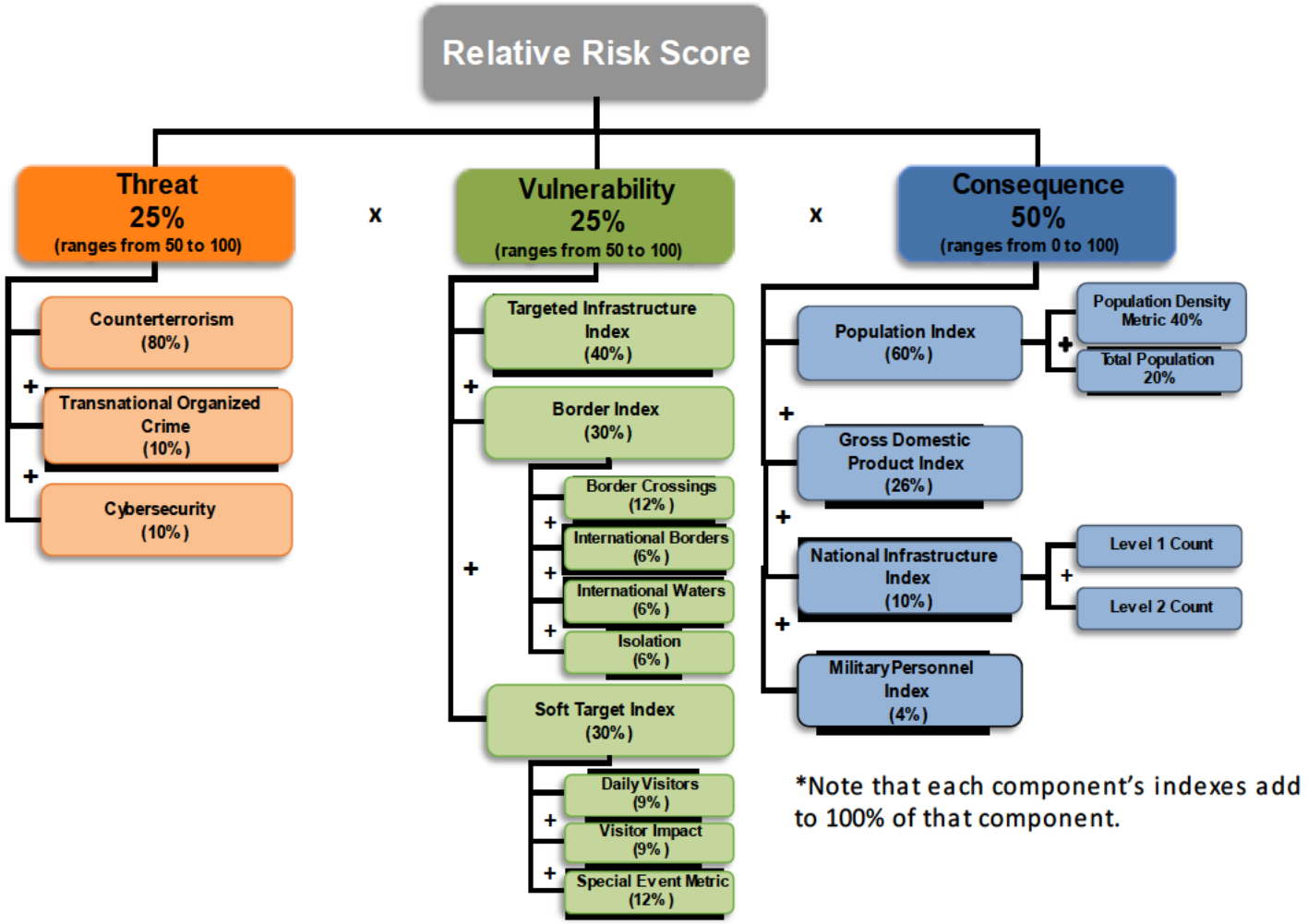

Figure 2: FY 2022 SHSP and UASI Risk Methodology

Tables 1 and 2: Data Element Weights and Descriptions (Comparisons between FY 22 to FY 23)

Vulnerability Data Element	FY 2022 Weight	FY 2023 Weight	Data Element Description
Targeted Infrastructure	40%	25%	Critical infrastructure sectors in a jurisdiction that are most likely to be targeted by the threat of terrorism. Weights were adjusted to incorporate new variables and to align the formula with the threat environment.
Special Event Metric	12%	15%	Special Event Assessment Rating (SEAR) data for each jurisdiction (if available)
Daily Visitors--Domestic/-International	9%	10%	The sum of the average daily international and domestic visitor population within a jurisdiction.
Visitor Impact (Resident Population, Domestic Visitors, International Visitors)	9%	10%	Total Visitors (by jurisdiction) divided by Resident Population
Economic Concentration	N/A	5%	The EC metric highlights jurisdictions that are more vulnerable due to less diverse economies (one or only a few major industries in the jurisdiction), making recovery from an attack more difficult.
Community Resilience	N/A	5%	The CR metric reflects that less resilient populations can be significantly impacted by a shock from a terrorist attack because of their lack of resources and alternatives to mitigate or absorb that shock.
Isolation	6%	6%	States, territories, and Metropolitan Statistical Areas (MSAs) isolated from the rest of the U.S. may need to be self-sufficient for longer when the need arises, because those MSAs may not be able to rely on neighboring jurisdictions for support.
Border Crossings	12%	12%	The number of border crossings in the jurisdiction (if relevant) (provided by DHS Customs and Border Protection (CBP))
International Borders	6%	6%	The presence of international borders in the jurisdiction (if relevant)
International Waters	6%	6%	The presence of a coastline bordering international waters. in the jurisdiction (if relevant)

Consequence Data Element	FY 2022 Weight	FY 2023 Weight	Data Element Description
Population Density	40%	40%	This metric calculates population density at the Census block group level (U.S. Census source)
Total Population	20%	20%	This metric is a standalone total population count, which is the sum of all residents, commuters, and Daily Visitors in the jurisdiction.
Gross Domestic Product	26%	25%	The GDP of the jurisdiction.
National Infrastructure	10%	10%	Count of Level 1/Level 2 assets/systems (as designed by NCIPP) within a jurisdiction
Military Personnel	4%	5%	Number of U.S. military personnel stationed within a jurisdiction

Executive Summary

What is the risk methodology and why is it needed?

The *Homeland Security Act of 2002*, as amended, requires that the "relative threat, vulnerability, and consequences from acts of terrorism" be considered when allocating funds for DHS' and FEMA's preparedness grant programs.

DHS and FEMA utilize a top-down approach to assess risk that is appropriate for informing resource allocation. The top-down approach treats the entire jurisdiction (*e.g.*, state, high-risk urban area, port, or transit system) as a single "asset" for computational purposes. Using this approach, a jurisdiction is assigned a single threat value, a single vulnerability value, and a single consequence value. Although these values are influenced by the critical infrastructure assets present in the jurisdiction, and by other considerations, they are not determined by considering each asset individually. Instead, the threat component represents the aggregate intent and capability of the nation's adversaries to target a particular jurisdiction; the vulnerability component measures the probability of a successful attack; and the consequence component measures the potential impacts of an attack on that jurisdiction.

The generalized FEMA risk methodology used across SHSP and UASI is shown below. The risk methodology for SHSP, UASI, PSGP, and TSGP weight the Threat component at 25%, the Vulnerability component at 25%, and the Consequence component at 50%.

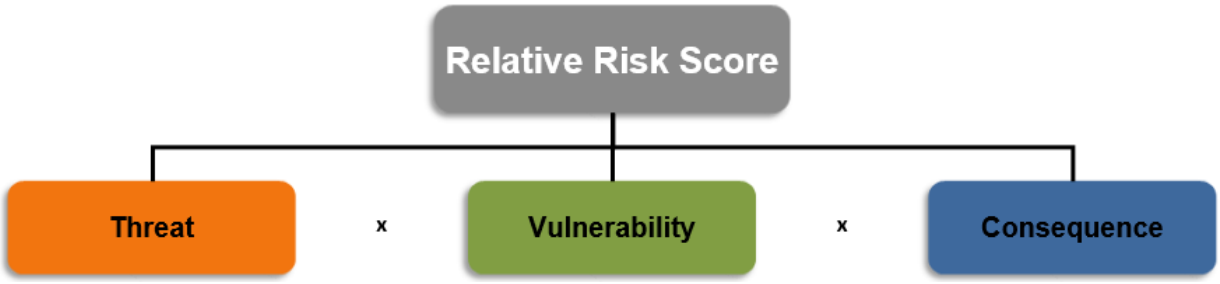

Figure 3: Relative risk score methodology

The methodology is assessed risk as a function of Threat, Vulnerability, and Consequence. Because this methodology represents a relative scale (ratio) for risk, the units of risk cannot be considered as a measure of the *absolute* risk of that entity; instead, risk scores are relative comparisons. DHS and FEMA use relative risk scores to inform allocation decisions. The highest-risk entity is assigned a relative risk score of 100 and all other risk scores are normalized in relationship to that highest-risk entity.

Fiscal Year 2022 Risk Methodology

As shown in the chart above, in Fiscal Year 2022 DHS and FEMA used individual data elements (*e.g.*, population, population density, commuters), which were combined to create one value (*e.g.*, population index), and then multiple indices were combined to create a single scaled value (*e.g.*, consequence component risk score). The component's scaled value was multiplied by other factors representing Threat, Vulnerability, and Consequence, in that 25-25-50 ratio, respectively.

This FY 22 composite indexing methodology allowed for assessment and comparison of relative risk based on multiple input factors. Because DHS and FEMA assessed risk to inform the allocation of finite grant dollars, the agency evaluates *relative risk*[2] among eligible grant entities. Using this approach, the risk from terrorism to one grant entity could have been directly compared to the risk to all other entities within the same program. The use of this framework impeded DHS's and FEMA's analysis of the data and diminished the influence the variables have within the

[2] Relative Risk definition: "measure of risk that represents the ratio of risks when compared to each other or a control," DHS Lexicon, 2017 Edition, p. 550

components. Additionally, it imposed artificial interdependence on components and did not appropriately weight the components against the current threat environment. This resulted in a risk methodology that was difficult to adjust to accurately reflect the current risk environment being faced by communities.

Fiscal Year 2023 Risk Methodology

To simplify the risk methodology calculations and to provide for greater transparency, DHS and FEMA have made updates to the mathematical calculation used for Fiscal Year 2023. Variable weights were updated to reflect the current threat environment. The composite index construction was removed. Each variable now directly impacts Threat, Vulnerability, or Consequence, and does not get combined into an index beforehand, thereby not diluting the individual variable scores.

Secondly, DHS and FEMA will use a new mathematical calculation methodology: the Baseline variables. Using Baseline variables instead of constraints creates a simpler and more transparent calculation while still maintaining a consequence-focused model and continuing to incorporate unknown, universal, and undifferentiated elements that exists across all jurisdictions. The Baseline Vulnerability and Baseline Consequence elements better reflect the minimum level of vulnerability and consequence that exists across all jurisdictions. There is no Baseline element for Threat as the threat assessments already incorporate these universal threats.

Finally, DHS and FEMA added two new additional elements this year, Community Resilience and Economic Concentration to the Vulnerability component. Economic Concentration accounts for state, local, and urban area economies that are more vulnerable due greater concentration of economic sectors which in turn may hinder an economy's ability to recover from an attack. Community Resilience is a measure of the capacity of individuals and households to absorb, endure, and recover from the effects of disasters, including terrorist attacks. Jurisdictions that are more resilient to all disasters will be less vulnerable to the adverse impacts of terrorism.