

**The Department of Homeland Security (DHS)  
 Notice of Funding Opportunity (NOFO)  
 Fiscal Year 2023 Community Assistance Program-State Support Services  
 Element (CAP-SSSE)**

**All entities wishing to do business with the federal government must have a unique entity identifier (UEI). The UEI number is issued by the SAM system. Requesting a UEI using Sam.gov can be found at: <https://sam.gov/content/entity-registration>.**

**Grants.gov registration information can be found at:  
<https://www.grants.gov/web/grants/register.html>.**

**Planned UEI Updates in Grant Application Forms:**

*On April 4, 2022, the Data Universal Numbering System (DUNS) Number was replaced by a new, non-proprietary identifier requested in, and assigned by, the System for Award Management (SAM.gov). This new identifier is the Unique Entity Identifier (UEI).*

*Additional Information can be found on Grants.gov:*

<https://www.grants.gov/web/grants/forms/planned-uei-updates.html>

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**A. Program Description****1. Issued By**

U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA)/Federal Insurance & Mitigation Administration (FIMA), Mitigation Directorate.

**2. Assistance Listings Number**

97.023

**3. Assistance Listings Title**

Community Assistance Program – State Support Services Element (CAP-SSSE)

**4. Funding Opportunity Title**

Fiscal Year 2023 Community Assistance Program - State Support Services Element

**5. Funding Opportunity Number**

FEMA Region	Opportunity Number
1	DHS-23-MT-023-01-99
2	DHS-23-MT-023-02-99
3	DHS-23-MT-023-03-99
4	DHS-23-MT-023-04-99
5	DHS-23-MT-023-05-99
6	DHS-23-MT-023-06-99
7	DHS-23-MT-023-07-99
8	DHS-23-MT-023-08-99
9	DHS-23-MT-023-09-99
10	DHS-23-MT-023-10-99

**6. Authorizing Authority for Program**

The National Flood Insurance Act of 1968 (Pub. L. No. 90-448), as amended, (42 U.S.C. § 4001 et seq.), the Flood Disaster Protection Act of 1973 (Pub. L. No. 93-234), as amended, (42 U.S.C. § 4002 et seq.), and 44 CFR parts 59 and 60.

**7. Appropriation Authority for Program**

*Department of Homeland Security Appropriations Act, 2023* (Pub. L. No. 117-328), Title III, Federal Emergency Management Agency, Federal Assistance.

**8. Announcement Type**

Initial

**9. Program Category**

Mitigation: Community Assistance

## 10. Program Overview, Objectives, and Priorities

### a. *Overview*

The Community Assistance Program – State Support Services Element (CAP- SSSE) program provides funding to states to provide technical assistance to communities in the National Flood Insurance Program (NFIP) and to evaluate community performance in implementing NFIP floodplain management activities. CAP-SSSE aligns with and supports the [DHS Strategic Plan for Fiscal Years 2020-2024, Goal 5: Strengthen Preparedness and Resilience](#). CAP- SSSE strives to leverage state knowledge and expertise to provide support to communities through activities that most effectively reduce flood losses. The CAP-SSSE cooperative agreement funds eligible activities to enable state NFIP coordinating agencies to meet the provisions set forth in 44 C.F.R.§ 60.25 and the goals and performance expectations of the funding agency: FEMA and the NFIP.

### b. *Objectives*

The CAP-SSSE program goals detailed below align directly to the national Floodplain Management Program multi-year plan. These goals provide the framework for guiding the activities of the FEMA Regions and state NFIP coordinating agencies as they work to meet the vision of the NFIP and the goals of the [2022-2026 FEMA Strategic Plan](#), including instilling equity as a foundation of emergency management, leading the whole of community in climate resilience, and promoting and sustaining a ready FEMA and prepared nation. Annually, and in collaboration with FEMA, states are expected to develop and meet performance commitments for funded activities and community outcomes that align to the achievement of the CAP-SSSE program goals:

- *Goal 1: Grow local capacity and capability to improve resiliency through floodplain management:* States shall leverage engagements and relationships with communities to build their capability and capacity to manage flood risk by adopting and enforcing at least the minimum standards of the NFIP. States should encourage participation in the NFIP and ensure that communities are maintaining or improving their compliance with the program.
- *Goal 2: Build state floodplain management capability and promote strong state interagency coordination and collaboration:* State NFIP Coordinating Agencies should invest in growing their own technical expertise and capacity and position the office to better serve as the central coordination point for bringing the entire state’s capabilities and resources together to advance floodplain management and mitigation.
- *Goal 3: Promote the benefits and drive demand for strong floodplain management development standards and insurance:* States shall ensure they are employing opportunities to most effectively educate communities and the public on the value (e.g., economic, environmental, social benefits) of higher standards and insurance coverage.

### c. *Priorities*

- *CAP-SSSE Transformation efforts (2017-2023):* CAP-SSSE implemented a series of transformative program changes to better incentivize and invest in state capability growth. While the transformation is coming to a close, states are expected to adhere to the guidance and business processes set forth by the CAP-SSSE transformation, as CAP-SSSE shifts to a steady-state. This includes:
  - *CAP-SSSE Tiered State Framework (TSF):* The TSF defines the characteristics of foundational, proficient, and advanced state floodplain management programs and sets forth a process by which states are assessed and aligned to a tier which subsequently guides the work activities and performance expectations for the grant period of performance. Beginning in FY20, States are required to complete the TSF assessment every three years and collaborate with the FEMA Regions to establish annual performance commitments that will be monitored on a quarterly basis primarily through Community Information System (CIS) reporting. Though not required, states have the option to submit an “off-cycle” assessment in between required years in order to demonstrate improvement.
  - *CAP-SSSE Funding Methodology and Tools:* The new CAP-SSSE funding methodology establishes a transparent and performance-based set of funding factors for State NFIP Coordinating Agencies. Beginning in FY23, the amount of funding made available to each state will be based on the funding methodology detailed in Appendix B which considers such factors as exposure to flood hazards, the probability and impact of flood events, a state’s TSF tier, and an annual competitive discretionary component based on Regional priorities. States must propose work activities and other allowable costs under this NOFO to demonstrate their plan to effectively utilize their available funding. States are expected to use and submit the State Activity Planning & Pricing Tool which standardizes Statements of Work (SOWs), Budget Details, and the Regional review process.
- *Substantial Damage/Substantial Improvement Compliance:* States will be expected to ensure community compliance with substantial damage/improvement provisions of floodplain management regulations.
- *State Development Compliance:* States will continue to support efforts to document and improve compliance with the NFIP regulations for new and existing state-owned and managed property in the Special Flood Hazard Area (SFHA), including adherence to the timeline agreed to in coordination with the FEMA Regions.
- *NFIP Compliance Community Audit Redesign:* FEMA is currently redesigning the Community Assistance Visit (CAV) and Community Assistance Contact (CAC) processes into the new NFIP Community Audit process. States will be expected to attend webinars, trainings, and other events to increase their knowledge and understanding of the NFIP Community Audit in preparation for transitioning to the new process in the future. States may also be requested to participate in additional pilot projects for the NFIP Compliance Audit process.
  - Note – As part of the redesign effort, FEMA will be sunsetting the terms “CAV” and “CAC” and replacing them with “community audit” in the near future.
- *Addressing Equity:* States will be expected to consider equity and assisting vulnerable populations disproportionately impacted by disasters in alignment with Goal 1 of the

2022- 2026 FEMA Strategic Plan, to Instill Equity as a Foundation of Emergency Management and, more specifically, Objective 1.3: Achieve Equitable Outcomes for Those We Serve, as well as the Justice 40 goals in Executive Order 14008.

- *Climate Resilience and Future Conditions:* Goal 2 of the 2022-2026 FEMA Strategic Plan is to Lead Whole of Community in Climate Resilience. States are expected to consider and incorporate future conditions into their planning, operations, and programming to prioritize community resilience.

## 11. Performance Measures

FEMA’s Floodplain Management program monitors performance through four (4) program measures to which state NFIP Coordinating Agencies are required to adopt, in addition to any other annual performance commitments they have agreed upon with the FEMA Regional office. These include:

- **Map Adoption.** States must meet the national metric of at least 93% map adoptions for those participating communities that receive Letters of Final Determination (LFDs) in their state. Each Regional office may set higher targets for map adoption.
- **Community Engagement.** States must have contact with a designated percentage of the communities in their State by Community Audits (Community Assistance Visits [CAVs], Community Assistance Contacts [CACs]), General Technical Assistance (GTA), Regulation Assistance, or Workshops. States and the FEMA Regional CAP Coordinator will negotiate “Expected” and “Excellence” targets for the percentage of communities that will be engaged during the POP. These targets will be documented in the Statement of Work (SOW).
- **Higher Standards Adoption.** States must commit to a designated number of communities that will adopt higher floodplain management standards (i.e., standards that are more stringent than those required by the NFIP) as a result of the state’s efforts. States and the FEMA Regional CAP Coordinator will negotiate “Expected” and “Excellence” targets for the number of communities adopting a higher standard during the POP. These targets will be documented in the Statement of Work (SOW).
- **Community Compliance Improvement.** States must commit to a designated number of communities in which they will conduct community audits, opening new and closing existing community assistance contacts and visits (CACs and CAVs). This target will directly support the Regional and National goal to assess a certain percentage of the entire NFIP every five years. States and the FEMA Regional CAP Coordinator will negotiate “Expected” and “Excellence” targets for the number of CAVs and CACs that will be conducted and closed during the POP. These targets will be documented in the Statement of Work (SOW).
- Additionally, in order to promote active engagement by states as CAP-SSSE shifts away from its transformative state, as well as provide opportunities for states to ask questions and provide feedback, the states will support national engagements by attending at least two CAP webinars, trainings, or other related engagement activities: the annual Hazard Mitigation (HM) Workshop, State Coordinators Session at Association of State Floodplain Managers (ASFPM) Conference, or national CAP-SSSE webinars held by FEMA.

## B. Federal Award Information

1. Available Funding for the NOFO: **\$15,000,000.00**

<b>Allocation</b>	<b>Amount</b>
Funding for basic floodplain management activities	Maximum of \$14,000,000
Discretionary funding for special projects, TSF improvements, or additional eligible activities as approved by each FEMA Region	Minimum of \$ 1,000,000

The CAP-SSSE funding methodology, explained in detail in Appendix B, is a multi-step process that makes funding available to states based on relative risk and workload, TSF tier, and competition. There are three elements of the CAP-SSSE funding methodology:

- a. *Base Funding*: An initial amount made available to each state based on the state's share of the national floodplain management needs. This amount is calculated from national datasets consisting of the following: a funding floor, exposure, probability and impact, NFIP workload and a cost of work multiplier.
- b. *Incentive Funding*: A potential multiplier on top of the base funding based on the state's Tiered State Framework (TSF) tier. For Proficient states, an additional 15% of their base funding is made available. For Advanced states, an additional 30% of their base funding is made available.
- c. *Discretionary Funding*: Competitive funding for additional CAP activities, capability building, and/or special projects. Discretionary funding is available to any state and awarded based on the alignment of the state's proposed activities to at least one of five discretionary priorities: 1) Special projects and innovations that advance the goals of the NFIP; 2) Activities that assist the state in addressing below foundational characteristics in their latest TSF assessment; 3) Activities that assist the state in moving up to the next TSF tier; 4) Additional eligible CAP-SSSE activities that the state has the capacity and desire to perform; 5) Other annual priorities specific to the FEMA Region.

While the CAP-SSSE funding methodology establishes an equitable framework for making funding available to state programs, applications are still competitively evaluated and awards are made in accordance with the application review criteria found in Section E of this NOFO.

2. Projected Number of Awards: **52**
3. Maximum Award Amount: **N/A**
4. Period of Performance: **12 months**

Extensions to the period of performance are allowed but may impact the state's TSF score and tier. For additional information on period of performance extensions, please refer to Section H of this NOFO or other document.



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

5. Projected Period of Performance Start Date(s): **07/01/2023**
6. Projected Period of Performance End Date(s): **06/30/2024**
7. Funding Instrument Type: **Cooperative Agreement**

Each state receiving a CAP-SSSE award will sign a cooperative agreement with FEMA describing the terms of the award, including the responsibilities of the recipient. There is substantial FEMA Regional Office involvement throughout the performance period of the CAP-SSSE Cooperative Agreement. FEMA retains the authority to manage and direct recipient performance in support of CAP-SSSE objectives. The FEMA Regional Office determines the appropriate number of activities and ensures performance metrics are being met.

FEMA maintains the following approval authorities on activities conducted by recipients:

- FEMA retains the authority to decide whether to admit communities to the NFIP, including determinations related to state-reviewed, community-submitted regulations supporting a community’s application.
- FEMA retains the authority to decide whether to admit communities to the Community Rating System (CRS), including determinations related to state-reviewed, community-submitted regulations and activities supporting a community’s CRS application.
- FEMA requires states receiving CAP-SSSE awards to incorporate a mandatory Flood Insurance Rate Map (FIRM) adoption rate of 93% or higher into their CAP-SSSE cooperative agreements. This requirement helps to ensure that communities applying to join the NFIP have an adopted flood regulation referencing the most current updated flood map.
- FEMA collaborates with states but retains final approval as to which communities receive state-provided training and technical assistance funded under the CAP-SSSE.
- FEMA requires all states to conduct Community Assistance Visits and approves the annual number states will conduct. FEMA retains final approval for the community locations for these visits, based on application of FEMA’s priority list and after consultation with the states.
- FEMA approves compliance follow-up actions conducted by states and requires advance approval before any follow-up actions that lead towards FEMA placing a community on probation or suspension from the NFIP.
- FEMA retains final approval for states affected by declared disasters to provide CAP technical assistance to communities and negotiates these levels with states.
- FEMA provides continuous technical assistance and feedback to states on the performance of CAP activities.

- FEMA requires detailed activity descriptions (submitted via the State Activity Planning & Pricing Tool) and approvals of state recipient's selections for sub-contracts to achieve program goals.
- FEMA requires state recipient's close collaboration with FEMA mitigation staff for the purpose of monitoring all aspects of the recipient's performance of program activities.
- FEMA must approve state requests to vary or substitute activities performed including staffing, overtime, and other management processes of the state recipient.
- FEMA may exercise its authority to require a remedial plan, assign corrective actions, and/or stop a state's funded activity immediately if the state fails to meet one or more of the above conditions.

### **C. Eligibility Information**

#### **1. Eligible Applicants**

All 50 states, the District of Columbia, and the territory of Puerto Rico are eligible to apply for CAP-SSSE funding.

#### **2. Applicant Eligibility Criteria**

State agencies designated by statute or Governor's declaration as a National Flood Insurance Program State Coordinating Agency as described in 44 C.F.R. § 60.25.

#### **3. Other Eligibility Criteria/Restrictions**

Applicants must complete a Tiered State Framework (TSF) assessment prior to applying for the first time. Please refer to the TSF Playbook at <https://www.fema.gov/floodplain-management/financial-help/community-assistance-program/tiered-state-framework> for more information about the TSF assessment process.

#### **4. Cost Share or Match**

There is a minimum 25 percent non-federal cost *match* required for all recipients of CAP-SSSE funds with no restrictions on the types of costs allowed (e.g., in-kind contribution). For a cost match the recipient contribution is calculated based on the federal contribution as: Percent recipient contribution multiplied by the value of the federal contribution in U.S. dollars. For example, the CAP-SSSE requires a 25% cost match. If the federal contribution is \$100,000 the recipient contribution is calculated as  $(0.25) \times \$100,000 = \$25,000$ . The grant is then made up of \$100,000 (federal funding), \$25,000 (state cost match) for a total = \$125,000.

### **D. Application and Submission Information**

#### **1. Key Dates and Times**

- a. *Application Start Date:* **05/01/2023**
- b. *Application Submission Deadline:* **06/15/2023 at 5:00PM ET**  
All applications **must** be received by the established deadline.

FEMA’s Grants Outcomes (FEMA GO) system automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the Authorized Organization Representative role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission. For additional information on how an applicant will be notified of application receipt, see the subsection titled “Timely Receipt Requirements and Proof of Timely Submission” in Section D of this NOFO.

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

**Applicants experiencing technical problems outside of their control must notify FEMA as soon as possible and before the application deadline.** Failure to timely notify FEMA of the issue that prevented the timely filing of the application may preclude consideration of the award. “Timely notification” of FEMA means 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](mailto:femago@fema.dhs.gov) or (877) 611-4700, Monday through Friday, 8:00 AM – 6:00 PM Eastern Time (ET). For programmatic or grants management questions, please contact your Program Analyst or Grants Management Specialist. If applicants do not know who to contact or if there are programmatic questions or concerns, please contact the Centralized Scheduling and Information Desk (CSID) by phone at (800) 368-6498 or by e-mail at [askcsid@fema.dhs.gov](mailto:askcsid@fema.dhs.gov), Monday through Friday, 9:00 AM – 5:00 PM ET.

**c. Other Key Dates**

<b>Event</b>	<b>Suggested Deadline for Completion</b>
Begin SOW planning by submitting an initial draft proposal in the Activity Planning & Pricing Tool to the Regional Office	Eight (8) weeks before actual submission deadline
Obtain a valid Employer Identification Number (EIN)	Four (4) weeks before actual submission deadline
Create an account with login.gov	Four weeks before actual submission deadline
Register in SAM or updating SAM registration	Four weeks before actual submission deadline
Register in FEMA GO	Three (3) weeks before actual submission deadline
Submit final draft proposal in the Activity Planning & Pricing Tool to the Regional Office	Three (3) weeks before actual submission deadline

Event	Suggested Deadline for Completion
Submit the final application in FEMA GO	By the submission deadline

## 2. Agreeing to Terms and Conditions of the Award

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

## 3. Address to Request Application Package

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

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

## 4. Requirements: Obtain a Unique Entity Identifier (UEI) and Register in the System for Award Management (SAM)

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

- 1) Be registered in Sam.Gov before application submission.
- 2) Provide a valid Unique Entity Identifier (UEI) in its application.
- 3) Continue to always maintain an active System for Award Management (SAM) registration with current information during the Federal Award process.

## 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 Unique Entity Identifier (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](https://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.

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 [askcsid@fema.dhs.gov](mailto:askcsid@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.

### a. *General Instructions:*

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

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

Organizations must have an UEI number, an EIN, an active System for Award Management (SAM) registration and Grants.gov account to apply for grants.

**b. *Obtain an UEI Number:***

All entities applying for funding, including renewal funding, prior to April 4, 2022, must have a UEI number. Applicants must enter the UEI number in the applicable data entry field on the SF-424 form.

For more detailed instructions for obtaining a UEI number, refer to: [SAM.gov](https://sam.gov).

**c. *Obtain Employer Identification Number***

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

**d. *Create a login.gov account:***

Applicants must have a login.gov account in order to register with SAM or update their SAM registration. Applicants can create a login.gov account here: [https://secure.login.gov/sign\\_up/enter\\_email?request\\_id=34f19fa8-14a2-438c-8323-a62b99571fd3](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 organizations applying online through Grants.gov must register with SAM. Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. Organizations will be issued a UEI number with the completed SAM registration.

For more detailed instructions for registering with SAM, refer to: <https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>.

Note: As a new requirement 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/media-library/assets/documents/181607>.

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.

#### 7. Submitting the Final 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 [SF-424 family on Grants.gov](https://www.fema.gov/sf-424-family-on-grants.gov). 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.

## **8. 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 Authorized Organization Representative (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.

## **9. Content and Form of Application Submission**

### **a. *Standard Required Application Forms and Information***

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

- **SF-424, Application for Federal Assistance**
- **Grants.gov Lobbying Form, Certification Regarding Lobbying**
- **SF-424A, Budget Information (Non-Construction)**
- **SF-424B, Standard Assurances (Non-Construction)**
- **SF-LLL, Disclosure of Lobbying Activities**
- **Indirect Cost Agreement or Proposal** if the budget includes indirect costs and the applicant is required to have an indirect cost rate agreement or proposal. If the applicant does not have or is not required to have an indirect cost rate agreement or proposal, please see Section D.13 of this NOFO, “Funding Restrictions and Allowable Costs,” for further information regarding allowability of indirect costs and whether alternatives to an indirect cost rate agreement or proposal might be available or contact the relevant FEMA staff identified in Section G of this NOFO, “DHS Awarding Agency Contact Information” for further instructions.

### **b. *Program-Specific Required Forms and Information***

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



- *Statement of Work (SOW)*: The applicant’s proposal for cooperative agreement funding that identifies the eligible activities (see Appendix A) and performance metrics that the state proposes to achieve during the period of performance. The SOW shall be produced using the State Activity Planning & Pricing Tool. The SOW should also include the applicant’s most recent validated Tiered State Assessment which will be provided by the Regional Office.
- *Detailed Budget*: The budget must be complete, reasonable, and cost-effective in relation to the proposed activities. The budget should provide the basis of computation of all activity-related costs, and any appropriate narrative. The Budget shall be produced using the State Activity Planning & Pricing Tool.

If revision of the statement of work or budget is required as a result of the negotiation process (discussions between FEMA and Applicant following the submission of the application), these documents may be re-submitted directly by email to the appropriate FEMA Regional CAP-SSSE Program Manager and Grants Specialist. This review and negotiation process may continue until the applicant’s proposed Statement of Work and supporting budget is approved by the FEMA Regional CAP-SSSE Program Manager and Grants Specialist.

## 10. Other Submission Requirements

Not applicable.

## 11. 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>; [www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf](http://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf)).

## 12. 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, or the terms and conditions of the award. 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 is the same as the period of performance).

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

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

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

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

CAP-SSSE funds cannot be used for: conducting floodplain studies, developing floodplain maps, supporting/maintaining web-based digital mapping platforms, Association of State Floodplain Managers (ASFPM) or other professional association dues/memberships. CAP-SSSE funds cannot be used to duplicate/reimburse states for state-required and state-funded (through appropriation or permit fee income) review activities, such as state permitting.

Recipients must request prior approval for budget and program plan revisions in accordance with 2 C.F.R. § 200.308.

CAP-SSSE funds can only be used to reimburse state staff for negotiated, eligible activities that they complete within the period of performance.

If a recipient does not maintain the necessary expertise and capability to conduct CAP-SSSE activities, the Region and recipient will develop a remedial plan. If the recipient does not agree to implementing the remedial plan and/or fails to develop the necessary expertise and capability required by the Region, the state's CAP-SSSE funding may be reduced or withheld.

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

Recipients and subrecipients of FEMA federal financial assistance are subject to the prohibitions described in section 889 of the [John S. McCain National Defense Authorization Act for Fiscal Year 2019 \(FY 2019 NDAA\)](#), 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. Beginning August 13, 2020, the statute – as it applies to FEMA 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.

Guidance is available at [FEMA Policy #405-143-1 - Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services](#)

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

**Effective August 13, 2020**, FEMA recipients and subrecipients **may not** use any FEMA funds under open or new awards to:

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

**i. REPLACEMENT EQUIPMENT AND SERVICES**

FEMA grant funding may be permitted to procure replacement equipment and services impacted by this prohibition, provided the costs are otherwise consistent with the requirements of the NOFO.

**ii. DEFINITIONS**

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

- i. Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, (or any subsidiary or affiliate of such entities);
- ii. For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
- iii. Telecommunications or video surveillance services provided by such entities or using such equipment; or
- iv. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the People’s Republic of China.

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

**b. Pre-Award Costs**

Pre-award costs are not allowed under the CAP-SSSE cooperative agreement.

**c. *Management and Administration (M&A) Costs***

Management and Administration activities (M&A) are those defined as directly relating to the management and administration of CAP-SSSE funds, such as financial management, monitoring, and application development for subsequent NOFOs. Recipients only may use up to five percent (5%) of the amount of the award for M&A.

**d. *Indirect Facilities & Administrative (F&A) Costs***

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

**e. *Other Direct Costs***

- Planning related costs are allowed under this program.
- Training related costs are allowed under this program, including cost associated with the administration of the cooperative agreement and floodplain management training.
- Personnel costs for eligible activities are allowed under this program.
- Non-floodplain management exercise related costs are NOT allowed under this program.
- Equipment costs are allowed under this program.
- Support for Enhanced Information Technology (IT) equipment costs are allowed.
- Domestic travel costs are allowed under this program
- International travel is NOT an allowable cost under this program unless approved in advance otherwise by the managing Federal agency.
- Construction and renovation costs are NOT allowed under this program.

CAP-SSSE encourages the purchase and use of IT tools and applications (e.g., computers, cameras, geospatial software or mobile applications) that increase effectiveness and efficiency in performing all aspects of State Coordinator duties related to the Community Assistance Program.

Please refer to Appendix A for Eligible Activities for the CAP-SSSE and more specific information on allowable costs for these activities.

## **E. Application Review Information**

### **1. Application Evaluation Criteria**

#### **a. Programmatic Criteria**

- Applications will be reviewed to ensure conformance with the Eligibility Criteria in Section C of this NOFO and Application Submission in D. Applicants that do not meet eligibility or application submission requirements will be removed from consideration. Applications will be reviewed to verify that the state recipient meets the 25 percent non-federal cost match required for all recipients of CAP-SSSE funds. However, there are no restrictions on the types of costs allowed for the match (e.g., in-kind contribution).
- Applicants will be evaluated and selected for funding based on their ability to demonstrate the following:
  - The capability to perform the duties and responsibilities set forth in 44 C.F.R. §60.25(b)
  - Expertise in floodplain management or the ability to attain expertise in floodplain management through participation in the CAP-SSSE program;
  - The ability to develop, implement and manage floodplain management activities;
  - Proposed activities and projects are compatible with CAP-SSSE priorities, requirements, and the state's latest TSF assessment; and
  - Proposed costs are complete, reasonable and cost-effective in relation to proposed projects and tasks.
- *Basic Floodplain Management Activities:* Applications will be reviewed to ensure that the SOW defines the state's agreement to meet the following performance metrics:
  - 93% adoption rate for communities receiving LFD.
  - Contact a percentage of communities by community audit (CAV or CAC), Regulations Assistance, GTA, or Workshop.
  - Work with a designated number of communities to adopt higher regulatory standards.
  - Conduct and/or close a designated number of CAVs and CACs.
  - Participate in at least 2 CAP engagement activities.
- *Discretionary Activities:* Applications will be reviewed to ensure that the SOW defines the state's proposal to address the following program priorities:
  - Special projects to advance program goals and objectives
  - Improve upon gaps or deficiencies in the state's latest TSF assessment
  - Improve TSF Tier
  - Improve specific TSF Characteristics identified as a priority by the FEMA Region Other Region-specific annual operational priorities.

#### **b. Financial Integrity Criteria**

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

risk review. Therefore, application evaluation criteria may include the following risk-based considerations of the applicant:

- 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 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**

FEMA Regional Offices staff are professionally and technically qualified in floodplain management and will evaluate applications and select applications for funding. Applicants are encouraged to review CAP-SSSE requirements and eligible activities available at: <https://www.fema.gov/community-assistance-program-state-support-services-element>

**F. Federal Award Administration Information**

**1. Notice of Award**

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

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

FEMA's grant application system to the Authorized Organization Representative (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**

Not Applicable.

## **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.

### **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 unless the application is for a continuation award. In that event, the terms and conditions in effect at the time the original award was made will generally apply. What terms and conditions will apply for the award will be clearly stated in the award package at the time of award.

### **b. *Ensuring the Protection of Civil Rights***

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

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

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.

In accordance with civil rights laws and regulations, recipients and subrecipients must ensure the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.

**c. *Environmental Planning and Historic Preservation (EHP) Compliance***

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

For CAP-SSSE, FEMA has prepared a Memo of Record; dated 02/23/2023, that documents EHP compliance for the range of activities eligible for funding under this NOFO pursuant to FEMA's Instruction on Implementation of the Environmental Planning and Historic Preservation Responsibilities and Program requirements, FEMA Instruction 108-1-1. <https://www.federalregister.gov/documents/2016/08/22/2016-19534/fema-directive-108-1-and-fema-instruction-108-1-1>

**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.

**a. *Financial Reporting Requirements***

**I. FEDERAL FINANCIAL REPORT (FFR)**

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

Recipients may review the Federal Financial Reporting Form (FFR) (SF-425) at <https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1>

Recipients must file the FFR electronically using FEMA GO.

**II. FFR REPORTING PERIODS AND DUE DATES**

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

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



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

**b. Programmatic Performance Reporting Requirements**

**i. PERFORMANCE PROGRESS REPORT (PPR)**

Recipients are responsible for providing updated performance reports on a quarterly basis. The report is due within 30 days after the end of the reporting period. Recipients must submit it as an attachment to the FEMA GO system. Late/inadequate reports may adversely impact a state's TSF score and tier.

**Use of the Quarterly Report Template from the State Activity Planning & Pricing Tool:**

Once the state has finalized its proposed SOW in the State Activity Planning & Pricing Tool, the tool produces a customized quarterly reporting template. This template provides the preferred method for summarizing completed work activities in comparison to the state's SOW and performance metrics to demonstrate quarterly progress towards completion.

Narrative-only reports will not be accepted. The quarterly report template summarizes both CIS entries and eligible activities not able to be entered into CIS.

**ii. ADDITIONAL PROGRAMMATIC REPORTING REQUIREMENTS**

**Mandatory Use of the Community Information System (CIS):** State recipients must use the [CIS](#) to enter and update information on regulations adoption, community audit (CAVs and CACs), training, general technical assistance, and updating all other fields they are authorized to update. Updates within the CIS are to be made as tasks are accomplished. FEMA will use quarterly CIS reports and state quarterly reports to measure state progress on the above activities and to approve funding drawdowns.

**c. Closeout Reporting Requirements**

**i. CLOSEOUT REPORTING**

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

- i. The final request for payment, if applicable.
- ii. The final FFR (SF-425).

- iii. The final progress report detailing all accomplishments, including a narrative summary of the impact of those accomplishments throughout the period of performance.
- iv. Other documents required by this NOFO, terms and conditions of the award, or other FEMA guidance.

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

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

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

\*Note – deobligated balances may adversely impact a state’s TSF score and tier. States are strongly encouraged to implement disciplined activity and cost estimating processes to minimize avoidable deobligations.

## II. ADMINISTRATIVE CLOSEOUT

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

When a recipient is not responsive to FEMA’s reasonable efforts to collect required reports needed to complete the standard closeout process, FEMA is required under 2 C.F.R. § 200.344(h) to start the administrative closeout process within the regulatory timeframe. FEMA will make at least three written attempts to collect required reports before initiating administrative closeout. If the recipient does not submit all required reports in accordance with 2 C.F.R. § 200.344, this NOFO, and the terms and conditions of the award, FEMA must proceed to administratively close the award with the information available within one year of the period of performance end date. Additionally, if the recipient does not submit all required reports within one year of the period of performance end date, per 2 C.F.R. § 200.344(i),

FEMA must report in FAPIIS the recipient's material failure to comply with the terms and conditions of the award.

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

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

#### **d. *Additional Reporting Requirements***

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

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

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

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

##### **II. REPORTING OF MATTERS RELATED TO RECIPIENT INTEGRITY AND PERFORMANCE**

Per 2 C.F.R. Part 200, Appendix I § F.3, the additional post-award reporting requirements in 2 C.F.R. Part 200, Appendix XII may apply to applicants who, if upon becoming recipients, have a total value of currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies that exceeds \$10,000,000 for any period of time during the period of performance of an award under this funding opportunity.

Recipients that meet these criteria must maintain current information reported in FAPIIS about civil, criminal, or administrative proceedings described in paragraph 2 of Appendix XII at the reporting frequency described in paragraph 4 of Appendix XII.

##### **III. SINGLE AUDIT REPORT**

For audits of fiscal years beginning on or after December 26, 2014, recipients that expend \$750,000 or more from all federal funding sources during their fiscal year are required to

submit an organization-wide financial and community audit report, also known as the single audit report.

The audit must be performed in accordance with the requirements of U.S. Government Accountability Office's (GAO) Government Auditing Standards, located at <https://www.gao.gov/yellowbook/overview>, and the requirements of Subpart F of 2 C.F.R. Part 200, located at <http://www.ecfr.gov/cgi-bin/text-idx?node=sp2.1.200.f>.

## 5. Monitoring and Oversight

Per 2 C.F.R. § 200.337, FEMA, through its authorized representatives, has the right, at all reasonable times, to make site visits or conduct desk reviews to review project accomplishments and management control systems to review award progress and to provide any required technical assistance. During site visits or desk reviews, FEMA will review recipients' files related to the award. As part of any monitoring and program evaluation activities, recipients must permit FEMA, upon reasonable notice, to review grant-related records and to interview the organization's staff and contractors regarding the program. Recipients must respond in a timely and accurate manner to FEMA requests for information relating to the award.

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

FEMA staff will periodically monitor recipients to ensure that administrative processes, policies and procedures, budgets, and other related award criteria are meeting Federal Government-wide and FEMA regulations. Aside from reviewing quarterly financial and programmatic reports, FEMA may also conduct enhanced monitoring through either desk-based reviews, onsite monitoring visits, or both. Enhanced monitoring will involve the review and analysis of the financial compliance and administrative processes, policies, activities, and other attributes of each federal assistance award, and it will identify areas where the recipient may need technical assistance, corrective actions, or other support.

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

that they feature initial reviews of all open awards, and additional, in-depth monitoring of grants requiring additional attention.

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

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

## **G. DHS Awarding Agency Contact Information**

### **1. Contact and Resource Information**

#### **a. *Program Office Contact***

For Program and Grant Administrative Questions, contact the appropriate FEMA Regional CAP-SSSE Coordinator at the Regional Office: <https://www.fema.gov/fema-regional-contacts>

Or you may contact the Headquarters CAP-SSSE Program Manager, Julie Grauer, at [julie.grauer@fema.dhs.gov](mailto:julie.grauer@fema.dhs.gov) or, 202-212-3460

#### **b. *Centralized Scheduling and Information Desk (CSID)***

CSID is a non-emergency comprehensive management and information resource developed by FEMA for grants stakeholders. CSID 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. CSID can be reached by phone at (800) 368-6498 or by e-mail at [askcsid@fema.dhs.gov](mailto:askcsid@fema.dhs.gov), Monday through Friday, 9:00 AM – 5:00 PM ET.

#### **d. *FEMA Regional Offices***

FEMA Regional Offices also may provide fiscal support, including pre- and post-award administration and technical assistance such as conducting cash analysis, financial monitoring, and audit resolution to the grant program under this NOFO. The FEMA Regional Offices will provide programmatic support and technical assistance.

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

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](mailto: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 FEMA’s recipients and subrecipients. All inquiries and communications about EHP compliance for FEMA grant projects under this NOFO or the EHP review process should be sent to [FEMA-OEHP-NOFOQuestions@fema.dhs.gov](mailto:FEMA-OEHP-NOFOQuestions@fema.dhs.gov).

**2. Systems Information**

**a. *FEMA GO***

For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at [femago@fema.dhs.gov](mailto:femago@fema.dhs.gov) or (877) 611-4700, Monday through Friday, 8:00 AM – 6:00 PM ET.

**b. *Community Information System (CIS):***

CIS is the official record of the National Flood Insurance information. The CIS, as the database system is commonly called, provides information about floodplain management, mapping and insurance for the NFIP communities. The CIS includes demographic, engineering, insurance and community specific information for jurisdictions in the United States that are identified as having land use authority. CAP-SSSE recipients must use CIS to track all of their engagements with NFIP communities. For technical questions or access to CIS, you may request assistance at <https://portal.fema.gov>.

**c. *Community Engagement Prioritization Tool (CEP-Tool):***

The CEP-Tool enables annual prioritization of communities with which State NFIP Coordinating Agencies will engage with technical assistance, training, outreach, compliance, etc. by ranking communities across risk, opportunity, and interest/need. Users will need an Esri AGOL Account to access and use the CEP-Tool. To gain access, states should:

- Verify that they have or can get an AGOL account through their organization and that they can join external groups (this may require reaching out to the state’s IT team);
- Email Martin Waysome [martin.waysome@fema.dhs.gov](mailto:martin.waysome@fema.dhs.gov) at FEMA HQ with the AGOL account name. Once access to the group is granted, the state will see this as a “notification” icon in the AGOL interface (not via email).

If a state does not have an AGOL account and must obtain access to CEPTool data, contact the Regional Coordinator who will work with the state one-on-one to meet their needs.

### 3. Termination Provisions

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

#### a. *Noncompliance*

If a recipient fails to comply with the terms and conditions of a federal award, FEMA may terminate the award in whole or in part. If the noncompliance can be corrected, FEMA may first attempt to direct the recipient to correct the noncompliance. This may take the form of a Compliance Notification. If the noncompliance cannot be corrected or the recipient is non-responsive, FEMA may proceed with a Remedy Notification, which could impose a remedy for noncompliance per 2 C.F.R. § 200.339, including termination. Any action to terminate based on noncompliance will follow the requirements of 2 C.F.R. §§ 200.341-200.342 as well as the requirement of 2 C.F.R. § 200.340(c) to report in 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.

#### 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.

### 4. Program Evaluation

Recipients and subrecipients are encouraged to incorporate program evaluation activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting an agency priority goal(s). Title I of the Foundations for Evidence-Based Policymaking Act of 2018 ([Evidence Act](#)), [Pub. L. No. 115-435 \(2019\)](#) urges federal awarding agencies and federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to 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). Evaluation costs are allowable costs (either as direct or indirect), unless prohibited by statute or regulation.

In addition, recipients are required to participate in a DHS-led evaluation if selected, which may be carried out by a third-party on behalf of the Program Office or DHS. By accepting grant funds, recipients agree to participate in the evaluation, which may include analysis of individuals who benefit from the grant, and provide access to program operating personnel and participants, as specified by the evaluator(s) during the award.

## 5. Period of Performance Extensions

Extensions to the period of performance (POP) for this program are allowed but may adversely impact a state's TSF score or tier. For more information about the TSF, visit <https://www.fema.gov/floodplain-management/financial-help/community-assistance-program/tiered-state-framework>. Extensions to the POP identified in the award will only be considered through formal, written requests to the recipient's FEMA Regional Office and must contain specific and compelling justifications as to why an extension is required. Recipients are advised to coordinate with the FEMA Regional Office as needed when preparing an extension request.

All extension requests must address the following:

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

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

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

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



## 6. Disability Integration

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

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

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

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

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

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

## 7. Conflicts of Interest in the Administration of Federal Awards or Subawards

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

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

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

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

## 8. Procurement Integrity

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

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

Under 2 C.F.R. § 200.317, when procuring property and services under a federal award, states (including territories) must follow the same policies and procedures they use for procurements from their non-federal funds; additionally, states must now follow 2 C.F.R. § 200.321 regarding socioeconomic steps, 200.322 regarding domestic preferences for procurements, 200.323 regarding procurement of recovered materials, and 2 C.F.R. § 200.327 regarding required contract provisions.

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

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

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

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

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

**b. *Competition and Conflicts of Interest***

Among the requirements of 2 C.F.R. § 200.319(b) applicable to all non-federal entities other than states, in order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. FEMA considers these actions to be an organizational conflict of interest and interprets this restriction as applying to contractors that help a non-

federal entity develop its grant application, project plans, or project budget. This prohibition also applies to the use of former employees to manage the grant or carry out a contract when those former employees worked on such activities while they were employees of the non-federal entity.

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

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

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

Per 2 C.F.R. § 200.319(c), non-federal entities other than states must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed SLTT geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

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

an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity.

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

**c. *Supply Schedules and Purchasing Programs***

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

**I. GENERAL SERVICES ADMINISTRATION SCHEDULES**

States, tribes, and local governments, and any instrumentality thereof (such as local education agencies or institutions of higher education) may procure goods and services from a General Services Administration (GSA) schedule. GSA offers multiple efficient and effective procurement programs for state, tribal, and local governments, and instrumentalities thereof, to purchase products and services directly from pre-vetted contractors. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term government-wide contracts with commercial firms that provide access to millions of commercial products and services at volume discount pricing.

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

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

**II. OTHER SUPPLY SCHEDULES AND PROGRAMS**

For non-federal entities other than states, such as tribes, local governments, and nonprofits, that want to procure goods or services from a state supply schedule, cooperative purchasing

program, or other similar program, in order for such procurements to be permissible under federal requirements, the following must be true:

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

If a non-federal entity other than a state seeks to use a state supply schedule, cooperative purchasing program, or other similar type of arrangement, FEMA recommends the recipient discuss the procurement plans with its FEMA Regional Office.

**d. *Procurement Documentation***

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

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

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

**9. Record Retention**

**a. *Record Retention Period***

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

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

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

**b. *Types of Records to Retain***

FEMA requires that non-federal entities maintain the following documentation for federally funded purchases:

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

Non-federal entities should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of any relevant documentation and records, including purchasing documentation along with copies of cancelled checks for verification. *See, e.g.*, 2 C.F.R. §§ 200.318(i), 200.334, 200.337.

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

## **10. Actions to Address Noncompliance**

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

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

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

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

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

FEMA may seek to recover disallowed costs through a Notice of Potential Debt Letter, a Remedy Notification, or other letter. The document will describe the potential amount owed,



the reason why FEMA is recovering the funds, the recipient’s appeal rights, how the amount can be paid, and the consequences for not appealing or paying the amount by the deadline.

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

FEMA notes the following common areas of noncompliance for FEMA’s grant programs and CAP-SSSE:

- Failure to maintain the required expertise and capacity to adequately perform the activities in the statement of work and the role of the NFIP State Coordinating Agency as described in 44 C.F.R. § 60.25.
- Insufficient documentation and lack of record retention.
- Failure to follow the procurement under grants requirements.
- Failure to submit closeout documents in a timely manner.
- Failure to follow EHP requirements.
- Failure to comply with the POP deadline.

## 11. Audits

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

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

The objectives of single audits are to:

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

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

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

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

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

## **12. Payment Information**

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

Payment requests are submitted through FEMA GO.

## **13. Whole Community Preparedness**

Preparedness is a shared responsibility that calls for the involvement of everyone—not just the government—in preparedness efforts. By working together, everyone can help keep the

nation safe from harm and help keep it resilient when struck by hazards, such as natural disasters, acts of terrorism, and pandemics.

Whole Community includes:

- Individuals and families, including those with access and functional needs
- Businesses
- Faith-based and community organizations
- Nonprofit groups
- Schools and academia
- Media outlets
- All levels of government, including state, local, tribal, territorial, and federal partners

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

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

## **14. Appendices**

Appendix A. CAP-SSSE Eligible Activities

Appendix B. CAP-SSSE Funding Methodology

## ***Appendix A. CAP-SSSE Eligible Activities***

FEMA expects the activities described below to be performed by the state NFIP Coordinator's office in coordination with the Region and to be defined in the Statement of Work (SOW). Prior to award, all state NFIP Coordinating Agencies must have a validated Tiered State Framework (TSF) assessment (i.e., completed within the past three years). The state's TSF tier assignment will guide the decisions of the FEMA Regional Offices in approving the specific types of tasks that the state intends to perform and the expected outcomes. Additionally, FEMA Regional Offices will determine the appropriate levels of effort for each activity to ensure that performance measures are being met. There may be activities that are not applicable to state activity in a given year (e.g., #13 assistance to communities in responding to disasters, or #9 if all communities are enrolled), but states are expected to conduct all activities as appropriate.

**1. Selection of Communities that Receive Community Audits (CACs, CAVs), Trainings, or other Technical Assistance:** States should work with the Regions to determine which communities will be engaged with some form of program support (e.g., CAVs, CACs, training, outreach, or other forms of technical assistance) during the period of performance. Community selection should be based on attributes pertaining to a community's risk, the opportunity to influence a community's built environment, and a community's demonstrated interest or need for support. To support this prioritization, states are required to use the outputs of the Floodplain Management Program's Community Engagement Prioritization Tool (CEPT) to guide and negotiate community selection with the FEMA Region.

**2. Community Information System (CIS) Entry:** CIS entry is mandatory, state CAP-SSSE grant recipients must use CIS to enter and update information on regulations adoption, community audits (formerly CAVs and CACs), training, general technical assistance, and update all other fields in CIS that document their grant activities. Updates within the CIS are to be made as tasks are accomplished and will be monitored. FEMA will use quarterly CIS reports along with state quarterly performance reports to measure progress on the eligible activities and to approve funding drawdowns.

**National Violation Tracker:** States are expected to input new violations and update the status of existing violations into the newly developed National Violation Tracker in CIS. In addition, they are expected to monitor the tracker regularly to determine community compliance and use as a diagnostics tool to prioritize community audits (eligible activity #1).

**3. Community Audits (Community Assistance Visits [CAVs] and Community Assistance Contacts [CACs]):** States participating in CAP-SSSE are required to conduct community audits (CAVs and CACs). States will be required to conduct these activities as described in the "National Flood Insurance Program (NFIP) Guidance for Conducting Community Assistance Contacts and Community Assistance Visits" FEMA F-776/April 2011. States must also provide appropriate follow-up to these audits by providing technical assistance to correct program deficiencies and remedy violations to the maximum extent possible. States must coordinate with the Regional Office to clarify the necessary follow-up actions to be provided. States must refer community compliance problems that they are unable to resolve to the Regional Office.

**Community Compliance Improvement Metric:** States must commit to a designated number of communities in which they will conduct new and close existing CACs and

CAVs. This target will directly support the Regional and National goal to assess a certain percentage of the entire NFIP every five years. States and the FEMA Regional CAP Coordinator will negotiate “Expected” and “Excellence” targets for the number of CAVs and CACs that will be conducted and closed during the POP. These targets will be documented in the Statement of Work (SOW). All CAVs and CACs must be entered into CIS with findings so that FEMA can monitor this important floodplain management activity.

**Compliance for State-Owned and -Managed Development:** States should support, or lead compliance activities related to state-owned and -managed development in the SFHA. This includes developing or assisting in the development of processes for compliance and violation tracking and addressing violations for state-owned and -managed development in both participating communities and non-participating communities.

**4. Floodplain Management Regulation Assistance:** Assisting communities in reviewing local regulations to ensure compliance with NFIP requirements and adoption before Flood Insurance Rate Maps (FIRMs) become effective is critically important. This includes necessary regulation revisions based upon new hazard data provided by FEMA, as well as incorporating any regulatory changes to meet minimum floodplain management criteria. State Cooperative Agreements shall include a performance measure relating to map adoption. The metric will measure the percentage of participating communities that have an adopted regulation referencing the updated map by the FIRM effective date. States must include a mandatory map adoption rate of 93% or higher into their cooperative agreement. Regulation updates must be entered on the Community Ordinance Summary page in CIS.

**5. Planning:** Planning activities, including TSF assessments, that advance floodplain management throughout the state are eligible. These plans should support the goals and objectives of the NFIP. Eligible planning activities also include providing technical assistance for the development of other state plans.

**Strategic Planning:** States may create a multi-year floodplain management plan in coordination with the State Hazard Mitigation Plan, CTP Plan, and/or other state planning activities. Strategic Planning, in coordination with the state Hazard Mitigation Plan, provides an opportunity to assess the current status of a state program and plan for future year demands, build state capabilities, find efficiencies, and explore opportunities for expanded services.

**Tiered State Framework (TSF) Assessments and Plans:** FEMA requires a full TSF assessment from each state upon first applying for the CAP-SSSE grant and on an established three-year cycle thereafter. The first assessment was conducted in 2020. The next official assessment conducted in 2023, then 2026, and so on. States may also request an off-cycle TSF assessment if they desire, for example, if the state believes they meet the benchmarks for the next tier and would like to be assigned to that tier earlier than the next required assessment. States are encouraged to create multi-year plans to outline and sequence activities that will lead to an improved TSF score and tier.

**6. State Model Regulation Updates and Monitoring of State Regulatory Environment:** Most states have developed a state model floodplain management regulation/regulation containing the minimum requirements outlined in 44 C.F.R. § 60.3, as well as any state required floodplain management provisions. States are encouraged to offer their communities model regulations and to monitor legal issues affecting floodplain management regulations and activities related to state building code adoption and modifications.

In addition, states are encouraged to offer their communities model regulations that include higher regulatory standards and assist communities in updating their model regulations to include higher standards. State Cooperative Agreements shall include a performance measure which tracks the percentage of communities that have adopted a higher regulatory standard. Regulation updates must be entered on the Community Ordinance Summary page in CIS.

**Model Building Codes:** Many states adopt a building code that is based on one or more of the model codes developed by the International Code Council (ICC) also known as I-Codes. Most states require all or some communities to enforce the code. Unless modified by a state, the model codes contain NFIP consistent flood provisions for buildings and structures. FEMA and states must ensure an understanding of the implications that the enforcement of these codes have on the local regulatory environment in order to provide accurate technical assistance. States should review their model community regulations and work with communities most at risk to ensure that they understand the implications of these building codes and how the codes are enforced with respect to NFIP requirements. State NFIP coordinators will be required to coordinate with their counterparts in the state code commission or state agency that is responsible for the building code, especially with respect to interpretations that the code commission or state agency may be asked to issue. Model companion floodplain management regulations designed specifically to coordinate with building codes based on the I-Codes is available from the Building Science staff at the Regional Offices. FEMA Building Science supports and tracks the adoption of hazard-resistant building codes within the comprehensive Building Code Adoption and Tracking System (BCATS) at: [https://geo.stantec.com/National\\_BCATS\\_Portal/viewer/](https://geo.stantec.com/National_BCATS_Portal/viewer/)

**Regulations Supporting Compliant State-Owned and -Managed Development:** State should work to improve clarity or reduce loopholes/exemptions in the following: (1) state land use authority or regulations that allow non-compliant state-owned or -managed development, and (2) regulations requiring the state to adhere to local floodplain management standards (if applicable). States should also work to improve model ordinances to assure that State-owned or -managed development in participating communities meets minimum NFIP standards.

**7. Outreach, Workshops, and Other Training:** States shall conduct outreach, workshops, and other training for local officials and other stakeholders, including insurance agents, lenders, adjustors, realtors, land surveyors, and design professionals to support implementation and enforcement of community floodplain management regulations, promotion of hazard identification, providing NFIP insurance training, and support of local and state planning initiatives. States should conduct workshops and other training and outreach opportunities to promote the purchase of insurance to improve communities' flood resilience and decrease

disaster suffering. States should publish a schedule of trainings at appropriate locations to maximize coverage of all communities in coordination with the Region.

**ASFPM Activities and Credentialing:** FEMA encourages state floodplain management personnel to attain Certified Floodplain Manager (CFM) credentials. State employees that are involved in floodplain management activities may use CAP-SSSE funds for costs associated with the initial exam and biennial CFM renewal fees. States are further encouraged to sponsor and proctor CFM exams in coordination with the ASFPM. CAP-SSSE funding cannot be used to reimburse ASFPM membership fees, but it can be used for the CFM test and to maintain the biennial CFM renewal. At the discretion of the Region, states may use limited CAP-SSSE funding to allow local officials to attend and/or assist with the annual ASFPM conference. These costs must be negotiated with the Region as part of the annual agreement.

**Programmatic Meetings:** CAP-SSSE funds may be used to reimburse travel costs associated with attendance by state floodplain management personnel at the ASFPM National Conference, FEMA Regional Office CAP-SSSE Coordination Meetings, state Silver Jackets coordination meetings and the FEMA Hazard Mitigation Workshop at EMI. Attendance at the annual FEMA Hazard Mitigation Workshop is expected. Other national and regional meetings related to floodplain management may be considered for reimbursement if approved in advance by Regional Office CAP-SSSE staff.

**Risk Rating 2.0 Equity in Action:** Support for implementation of NFIP Risk Rating 2.0 activities, including participation in relevant trainings, coordination with other state agencies that have insurance responsibilities, and providing support for communities.

**8. General Technical Assistance:** States should provide general technical assistance to communities and individuals to resolve floodplain management issues related to the NFIP.

**9. Enrollment of Communities:** States should encourage non-participating communities to consider joining the program. States should assist communities in joining the NFIP by providing technical assistance to ensure the community meets the minimum eligibility requirements for participation. A regulation review checklist must be completed in coordination with the Region to verify NFIP minimum standards are met.

**10. Community Rating System (CRS) Support:** States should assist communities in joining the NFIP CRS through providing information on requirements to join, conducting entry CAVs and providing support for activities credited by CRS.

**11. Coordination with Other Programs and Agencies:** States will coordinate with other programs that impact floodplain management. Coordination activities should focus on insurance professionals to increase the percent of at-risk property owners that have flood insurance, grant program funding to mitigate high risk targets such as substantially damaged (SD) and repetitive loss (RL) structures, identification and communication of flood risk, and ensuring compliance with the NFIP regulations.

**Grant Programs:** Grant programs from FEMA that impact floodplain management include Public Assistance (PA), Hazard Mitigation Assistance (HMA) programs such as Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and

Communities (BRIC) Program, and Flood Mitigation Assistance (FMA). Coordination with federal agencies outside of FEMA that impact floodplain management often involve projects to mitigate structures, identify flood risk and develop/maintain flood control structures. Federal agencies usually involved in these activities are: Housing and Urban Development (HUD), U.S. Army Corps of Engineers, U.S. Geological Survey, National Oceanic Atmospheric Administration (NOAA) Coastal Zone Management (CZM), and the Department of Interior- Bureau of Reclamation.

**State Offices:** Coordination with state offices is expected in order to promote sound floodplain management in the state. This requires working with state programs such as dam safety, land use, building code, water resources programs, department of transportation, port authority, insurance, environmental or any state agency conducting/effecting activity within the floodplain.

**Floodplain Management of State Owned and Managed Properties:** Coordination with other state agencies is expected as states address any regulatory and program gaps identified in response to FEMA's ongoing efforts to coordinate with states to obtain evidence and verify compliance for state-owned and-managed development. FEMA is continuing to work with states to evaluate state FPM programs in coordination with the state NFIP Coordinator. It is expected many states will need to update regulatory tools used for floodplain management of state-owned and state-managed development; develop, revise, or assist in the preparation of permitting processes and procedures for state-owned and -managed development in participating communities; develop, revise, or assist in the preparation of permitting processes and procedures for state-owned and -managed development in non-participating communities; and develop, revise, or assist in the preparation of processes for how permits for state-owned or -managed development in the SFHA are issued, including a central agency or POC for coordination within the state. FEMA will provide support to states in these efforts, but it is expected states will spearhead any necessary efforts to update and strengthen state regulations and programs. In addition, the Regional Offices may determine that a community audit (CAV) of the state floodplain management program is appropriate. These could include specific touchpoints for known NFIP development issues within the state, such as focusing on a specific agency in a state with known violations in the SFHA. Regional staff may request assistance from state officials in collection of data and other preparations for conducting the community audit (CAV).

**12. Mapping Coordination Assistance:** As part of the flood hazard mapping program process, states must work with the Regions to develop flood mapping priorities and participate in community meetings held as part of the mapping process. In addition to CAP-SSSE grants, states are eligible for CTP Program Management funding to meet these responsibilities. The CAP-SSSE activities must be developed separately from, but in coordination with the CTP Program Management plans to ensure that CTP is used to complement CAP-SSSE activities and that states will meet all of their responsibilities. Neither CTP Program Management funds nor CAP-SSSE funds can be used for conducting floodplain studies or developing floodplain maps. However, several activities are allowable under both grant programs, including map adoption, training, and outreach. Use of these resources should be closely coordinated to prevent duplication of effort.



**13. Assistance to Communities in Responding to Disasters:** States are expected to provide post-disaster assistance and support to NFIP communities. Post-disaster activities may include but are not limited to, training, outreach, and direct technical assistance on floodplain management issues such as post-disaster permitting, substantial damage determinations, NFIP Increased Cost of Compliance (ICC) coverage, use of best available data, promotion of insurance coverage, identification of potential mitigation grant projects, and/or mitigation measures to increase resilience.

Following presidentially declared disasters, NFIP Coordinators are expected to participate in the development and implementation of the Hazard Mitigation Strategy by identifying and implementing activities that support NFIP compliance in recovering communities. An amendment to the approved Statement of Work is expected should significant disaster activity occur to adjust for post-disaster floodplain management activities.

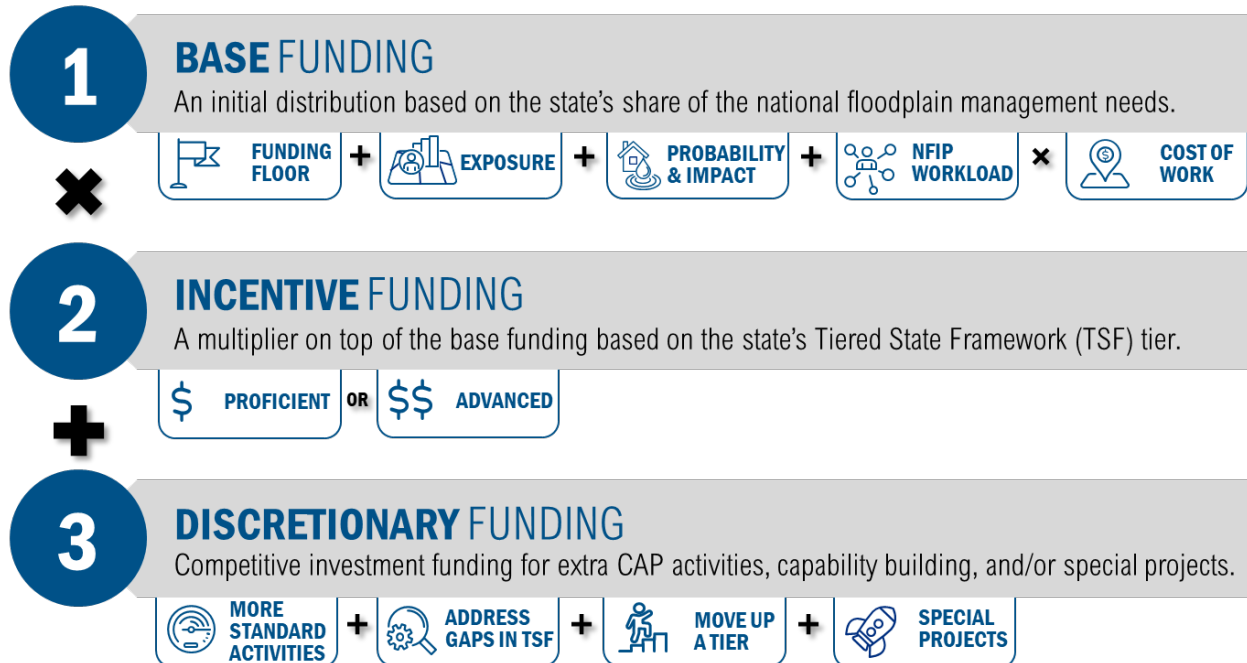
State NFIP Coordinators must ensure they are conducting activities to prepare NFIP communities to enforce the substantial damage provisions of their regulations. National guidance has been developed to help outline expectations for states. It is expected that states will negotiate specific activities with their FEMA Regional CAP Coordinator which will be defined in their SOW's.

FEMA published the final policy for implementation of Section 1206 of the Disaster Recovery Reform Act (DRRA) on October 19, 2020. DRRA 1206 changes the way FEMA has historically supported states and communities with substantial damage (SD) data collection. FEMA has developed a suite of outreach and workshop materials in support of DRRA Section 1206 that states should utilize to assist their communities in understanding which activities may be eligible for reimbursement post-disaster.

**14. Endangered Species Act (ESA):** Decisions and actions that are beneficial for wildlife habitat and floodplains are good for hazard reduction and community resilience. FEMA continues its strong support for the Endangered Species Act (ESA) as it works to help communities prepare for, respond to, recover from, and mitigate all hazards, including flooding. Support for NFIP ESA activities, including related trainings and coordinating with other state and federal agencies that have ESA responsibilities, is considered eligible for CAP-SSSE funding if applicable to the state/ Region.

## Appendix B. CAP-SSSE Funding Methodology

The CAP-SSSE funding methodology is a multi-step process that makes funding available to states based on relative risk and workload, TSF tier, and competition. There are three elements of the CAP-SSSE funding methodology as illustrated in the figure below.



1. **Base Funding:** An initial amount made available to each state based on the state's share of the national floodplain management needs.

The base funding made available to each state is based on the following weighted formula:

[ Funding Floor + Exposure Factor Allocation (25%) + Probability & Impact Factor Allocation (25%) + NFIP Workload Factor Allocation (50%) ] X ( 1 + Cost of Work Multiplier)

The factors in the base funding formula are calculated as follows:

- *Funding Floor:* The formula begins with and builds upon a \$45,000 starting point for all states.
- *Exposure:* 25% of the total base funding is made available to states based on their relative exposure to flood hazards. This factor allocates funding based on a state's ranking in one of four levels: 1) the top 10% of states with the most people and property exposed to flood hazards; 2) the 50<sup>th</sup> – 90<sup>th</sup> percentile; 3) the 10<sup>th</sup> – 50<sup>th</sup> percentile; and 4) the bottom 10%. Each state's exposure will be measured with the best available, national-level dataset. At this time, the formula considers the estimated number of structures in the special flood hazard area (SFHA) (from FID/National Structure inventory) and population growth projections (from the CEP Tool/ESRI, estimated increase in structure in SFHA dataset).
  - The top 10% equally divide 35% of the total funding for this factor.

- The second tier (50<sup>th</sup> – 90<sup>th</sup> percentile) equally divide 45% of the total funding for this factor.
- The third tier (10<sup>th</sup> – 50<sup>th</sup> percentile) equally divide 20% of the funding for this factor.
- The bottom 10% are not allocated any funding for this factor.
- *Probability & Impact:* 25% of the total base funding is made available to states based on their relative flood disaster probability and impact. This factor allocates funding based on a state's ranking in one of four levels: 1) the top 10% of states with the most frequent and severe history of flood losses; 2) the 50<sup>th</sup> – 90<sup>th</sup> percentile; 3) the 10<sup>th</sup> – 50<sup>th</sup> percentile; and 4) the bottom 10%. Each state's disaster probability and impact will be measured with the best available, national-level dataset. At this time, the formula considers the number of declared flood disasters since 2008 (from OpenFEMA) and the total amount of paid NFIP losses since 1978 (from CIS).
  - The top 10% equally divide 35% of the total funding for this factor.
  - The second tier (50<sup>th</sup> – 90<sup>th</sup> percentile) equally divide 45% of the total funding for this factor.
  - The third tier (10<sup>th</sup> – 50<sup>th</sup> percentile) equally divide 20% of the funding for this factor.
  - The bottom 10% are not allocated any funding for this factor.
- *NFIP Workload:* 50% of the total base funding is made available to states based on their relative NFIP workload. This factor allocates funding based on a state's ranking in one of four levels: 1) the top 10% of states with the most jurisdictions requiring NFIP support; 2) the 50<sup>th</sup> – 90<sup>th</sup> percentile; 3) the 10<sup>th</sup> – 50<sup>th</sup> percentile; and 4) the bottom 10%. Each state's NFIP workload will be measured with the best available, national-level dataset. At this time, the formula considers the number of flood prone communities in the state (from CIS, adjusted to only those with identified flood hazard), the state land area (from Census 2020), and projected number of flood insurance rate maps (FIRMs) going effective (from number of CIDs in Mapping Projects at post-preliminary or beyond).
  - The top 10% equally divide 35% of the total funding for this factor.
  - The second tier (50<sup>th</sup> – 90<sup>th</sup> percentile) equally divide 45% of the total funding for this factor.
  - The third tier (10<sup>th</sup> – 50<sup>th</sup> percentile) equally divide 20% of the funding for this factor.
  - The bottom 10% are not allocated any funding for this factor.
- *Cost of Work:* Adds a multiplier to the base funding based on geographical wage differences. This is calculated based on the most recent Office of Personnel Management (OPM) 2020 Federal wage adjustment tables for the state capital city where the State NFIP Coordinating Office is assumed to be physically located.

2. ***Incentive Funding:*** A multiplier on top of the base funding based on the state's Tiered State Framework (TSF) Tier.

For Proficient states, an additional 15% of their base funding is made available. For Advanced states, an additional 30% of their base funding is made available. A state's TSF Tier is determined based on their latest validated TSF Assessment. States are required to

execute TSF assessments every three years and may request an off-cycle assessment at any time. For more information about the Tiered State Framework and assessment process, visit the CAP-SSSE webpage at <https://www.fema.gov/floodplain-management/financial-help/community-assistance-program-state-support-services-element> and download the Tiered State Framework Playbook.

3. ***Discretionary Funding:*** *Competitive funding for additional CAP activities, capability building, and/or special projects.*

Discretionary funding is available to any state and awarded based on the alignment of the state's proposed activities to at least one of five discretionary priorities: 1) Special projects and innovations that advance the goals of the NFIP; 2) Activities that assist the state in addressing below foundational characteristics in their latest TSF assessment; 3) Activities that assist the state in moving up to the next TSF tier; 4) Additional eligible CAP-SSSE activities that the state has the capacity and desire to perform; 5) Other annual priorities specific to the FEMA Region. FEMA Regions provide additional details, guidance, and considerations around Discretionary Priorities by February each year.

It is critical to note that while the CAP-SSSE funding methodology establishes an equitable framework for making funding *available* to state programs, applications are still competitively evaluated, and awards are made in accordance with the application review criteria found in Section E of this NOFO.