The Department of Homeland Security (DHS)

Notice of Funding Opportunity

Fiscal Year 2025 Community Assistance Program – State Support Services Element (CAP-SSSE)

Fraud, waste, abuse, mismanagement, and other criminal or noncriminal misconduct related to this program may be reported to the Office of Inspector General Hotline. The toll-free numbers to call are 1 (800) 323-8603 and TTY 1 (844) 889-4357.

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1. Basic Information

A. Agency Name	U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), Resilience, Hazard Mitigation Directorate, Floodplain Management
B. Notice of Funding Opportunity Title	Community Assistance Program State Support Services Element
C. Announcement Type	Initial
D. Funding Opportunity Number	DHS-25-MT-023-01-99
E. Assistance Listing Number	97.023
F. Expected Total Funding	\$15 million
G. Anticipated Number of Awards	52 awards
H. Expected Award Range	\$65,000-\$600,000
I. Projected Application Start Date	July 28, 2025 at 8 a.m. Eastern Time (ET)
J. Projected Application End Date	Aug. 11, 2025 at 5 p.m. Eastern Time (ET)
K. Anticipated Funding Selection Date	July 25, 2025
L. Anticipated Award Date	No later than Sept. 30, 2025
M. Projected Period of Performance Start Date	July 1, 2025
N. Projected Period of Performance End Date	June 30, 2026
O. Executive Summary	The Community Assistance Program – State Support Services Element program provides funding to states and territories to provide technical assistance (e.g., mapping and regulation support, compliance actions, workshops/training, and more) to communities in the National Flood Insurance Program and to evaluate community performance in implementing National Flood Insurance Program floodplain management activities. This cooperative agreement strives to leverage state and territory knowledge and expertise to provide support to communities through activities that most effectively reduce flood losses.

The cooperative agreement funds eligible activities to enable State National Flood Insurance Program Coordinating Agencies to meet the provisions set forth in 44 Code of Federal Regulations Section 60.25 and the goals and performance expectations of the funding agency: FEMA and the National Flood Insurance Program.

As a result of Community Assistance Program – State Support Services Element funding, states and territories have increased the number of community outreach and meetings, workshops and trainings held, contracted dollars for additional capacity, and average grantee investment.

More information, including key information, documents, and details, can be found on FEMA.gov: https://www.fema.gov/floodplain-management/community-assistance-program.

P. Agency Contact

a. Program Office Contact

Julie Grauer, Program Manager, <u>julie.grauer@fema.dhs.gov</u> or (202) 568-4396.

b. FEMA Grants News

This channel provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. FEMA Grants News Team is reachable at fema.dhs.gov OR (800) 368-6498, Monday - Friday, 9 a.m. – 5 p.m. ET.

c. Grant Programs Directorate Award Administration Division

Grand Programs Directorate Award Administration Division provides support regarding financial matters and budgetary technical assistance. For any questions, email <u>ASK-GMD@fema.dhs.gov</u>.

d. FEMA Regional Offices

FEMA Regional Offices also may provide fiscal support, including pre- and post-award administration and technical assistance. FEMA Regional Office contact information is available at https://www.fema.gov/fema-regional-contacts.

e. Civil Rights

Consistent with Executive Order 14173, Ending Illegal Discrimination & Restoring Merit-Based Opportunity, the FEMA Office of Civil Rights is responsible for ensuring compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA. The contact email is FEMA-CivilRightsOffice@fema.dhs.gov.

f. Environmental Planning and Historic Preservation

The FEMA office of Environmental Planning and Historic Planning provides guidance and information about the EHP review process to FEMA programs and recipients and subrecipients. Send any inquiries regarding compliance for FEMA grant projects for this funding opportunity to FEMA-OEHP-NOFOQuestions@fema.dhs.gov.

g. Payment and Reporting System

FEMA uses the <u>Payment and Reporting System (PARS)</u> for financial reporting, invoicing, and tracking payments. The Direct Deposit/Electronic Funds Transfer method of payment is used for recipients. For any questions about the system, contact the Customer Service Center at (866) 927-5646 or <u>ask-GMD@fema.dhs.gov</u>.

h. FEMA GO

For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at femago@fema.dhs.gov or (877) 585-3242, Monday - Friday, 9 a.m. - 6 p.m. ET.

i. FEMA Preparedness Toolkit

The <u>FEMA Preparedness Toolkit</u> (PrepToolkit) provides access to tools and resources needed to implement the National Preparedness System and provide a collaborative space for communities completing the Unified Reporting Tool. Recipients complete and submit their Threat and Hazard Identification and Risk Assessment and Stakeholder Preparedness Review, and other required assessments using the PrepToolkit. For assistance, contact support@preptoolkit.fema.dhs.gov.

The Community Assistance Program – State Support Services Element has a PrepToolkit site reserved for State Coordinators to access program guidance and materials. These State Coordinators can request membership in the PrepToolkit.

2. Eligibility

A. Eligible Entities/Entity Types

Only the following entities or entity types are eligible to apply.

a. Applicants

Designated State National Flood Insurance Program Coordinating Agencies in all 50 states, the District of Columbia, and territories are eligible to apply for funding under this funding opportunity. Collectively, they are referred to as "grantees."

State Coordinating Agencies are designated by statute or Governor's declaration as a National Flood Insurance Program Coordinating Agency as described in 44 Code of Federal Regulations Section 60.25.

b. Subapplicants

Subapplicants and subawards are not allowed.

B. Project Type Eligibility

a. Unallowable Project Types

- Matching or cost sharing for other federal grants and cooperative agreements (see 2 Code of Federal Regulations Section 200.306)
- Lobbying or other prohibited activities under Title 18 United States Code Section 1913 or 2 Code of Federal Regulations Section 200.450
- Non-floodplain management exercise related costs
- Construction and renovation costs
- International travel, unless approved in advance otherwise by the managing federal agency
- Conducting floodplain studies and/or developing floodplain maps
- Activities covered under other federal grants (such as Cooperative Technical Partners), such as supporting/maintaining web-based digital mapping platforms
- Association of State Floodplain Managers or other professional association dues/memberships
- Duplication/reimbursement for state or territory-required and state or territory-funded (through appropriation or permit fee income) review activities, such as state or territory permitting
- Purchase of vehicles or office furniture/furnishings
- Activities directly chargeable to disaster funding

b. Allowable Project Types

- Negotiated, eligible activities (listed in detail in <u>Appendix A</u>) completed within the Period of Performance
- Other Direct Costs:
 - o Planning-related costs are allowed under this program.
 - Training-related costs are allowed under this program, including staff attending or conducting training with stakeholders.

	O Supply costs, as defined in 2 Code of Federal Regulations Section 200.1 and less than \$10,000, are allowed under this program.
	 Equipment costs, as defined in 2 Code of Federal Regulations Section 200.1 and greater than \$10,000, are allowed under this program.
	 Support for Information Technology (IT) equipment costs are allowed, such as computers, cameras, geospatial software or mobile applications.
	 Domestic travel costs are allowed under this program.
	 Certified Floodplain Manager exam and biennial renewal fees.
	 Management and Administration costs, defined as those directly relating to the management and administration of CAP-SSSE funds, such as financial management, monitoring, and application development for subsequent funding opportunities. Recipients only may use up to 5% of the amount of the award for Management & Administration costs. More information can be found in section 3.I Management & Administration Costs.
	• Indirect costs are allowable under this program as described in 2 Code of Federal Regulations Part 200, including 2 Code of Federal Regulations Section 200.414. More information can be found in section 3.H Indirect Costs.
C. Requirements for Personnel, Partners,	1) the capability to perform the duties and responsibilities set forth in 44 Code of Federal Regulations Section 60.25(b);
and Other Parties	2) expertise in floodplain management or the ability to attain expertise in floodplain management through participation in the Community Assistance Program – State Support Services Element; and
	3) the ability to develop, implement and manage floodplain management activities.
D. Maximum Number of Applications	The maximum number of applications that can be submitted is: One per State National Flood Insurance Program Coordinating Agency
E. Additional Restrictions	Applicants must have a valid Tiered State Framework Assessment prior to applying for the first time. Applicant must meet the minimum point score to be eligible for the grant. Please refer to the Tiered State Framework Playbook at https://www.fema.gov/floodplain-management/community-assistance-program/tiered-state-framework .

	Applicants/subapplicants or recipients/subrecipients are required to certify their compliance with federal statutes, DHS directives, polices, and procedures.
F. References for Eligibility Factors within the Notice of Funding Opportunity	Please see the following references provided below: 1. "Responsiveness Review Criteria" subsection 2. "Application Criteria" subsection 3. "Financial Integrity Criteria" subsection 4. "Supplemental Financial Integrity Criteria and Review" subsection 5. FEMA may request financial information such as Employer Identification Number (EIN) and bank information as part of the potential award selection. This will apply to everyone prospered, including subrecipients. 6. "Appendix A: Eligible Activities" subsection
G. Cost Sharing Requirement	Applicants selected for this award must commit to an acceptable cost share agreement. Otherwise, they will not be funded.
	There is no cost share requirement for "insular areas" per Public Law 96-205, title VI, section 601, Mar. 12,1980, as amended (also noted in Title 48 United States Code Section 1469a) and Office of Management and Budget Controller Alert CA-23-04 Waiving Matching Fund Requirements for Insular Areas. The four insular areas are the U.S. Virgin Islands, Guam, Commonwealth of the Northern Mariana Islands, and American Samoa. Insular area applicants can propose a voluntary cost share. Please see Application Criteria for more information.
H. Cost Share Description, Type and Restrictions	There is a minimum 25% non-federal cost match required for all recipients of Community Assistance Program – State Support Services Element funds (excluding insular areas) with no restrictions on the types of costs allowed (e.g., in-kind contribution). Applicants are allowed, encouraged, and incentivized through the Tiered State Framework Assessment to voluntarily match beyond the minimum 25% non-federal cost match.
I. Cost Sharing Calculation Example	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, this cooperative agreement requires a 25% cost match. If the federal contribution is $$100,000$, the recipient contribution is calculated as (0.25) X $$100,000 = $25,000$. The grant is then made up of $$100,000$ (federal funding) and $$25,000$ (state cost match) for a total = $$125,000$.
J. Required information for verifying Cost Share	Applicants should submit their regionally approved Detailed Budget indicating planned cost match with their application. Grantees may, but are not required, to include a cost match letter with their

application. Please see the <u>Application Contents and Format</u> section for more details.

3. Program Description

A. Background, Program Purpose, and Program History

The Community Assistance Program – State Support Services Element provides funding to states and territories to provide technical assistance (e.g., mapping and regulation support, compliance actions, workshops/training, and more) to communities in the National Flood Insurance Program and to evaluate community performance in implementing floodplain management activities.

The Community Assistance Program – State Support Services Element derives its authority from the National Flood Insurance Act of 1968, as amended, the Flood Disaster Protection Act of 1973, and Title 44 Code of Federal Regulations Sections 59 and 60. This cooperative agreement funds eligible activities to enable State National Flood Insurance Program Coordinating Agencies to meet the provisions set forth in Title 44 Code of Federal Regulations Section 60.25 and the goals and performance expectations of the funding agency: FEMA and the National Flood Insurance Program. As a result of this funding, states and territories have increased the number of community outreach and meetings, workshops and trainings held, contracted dollars for additional capacity, and average annual grantee investment.

While the Community Assistance Program – State Support Services Element has existed since the 1981 (called the State Assistance Program until 1986), a <u>2017 Program Evaluation</u> prompted the development of updated products, processes, and guidance to bring added accountability, clarity, and defensibility to the program.

B. Goals and Objectives

The goal of the Community Assistance Program – State Support Services Element is to support State National Flood Insurance Program Coordinating Agencies to reduce risk and help to avoid losses from flood events as they provide technical assistance and floodplain management support to flood prone and participating communities within their states and territories.

To further this goal, the program will pursue the following objectives:

- Increase state and territory programs' capability and capacity to effectively manage their programs such that they perform at or above their annual performance measure commitments.
- Increase state and territory programs' capability and capacity to effectively respond to disaster events.
- Support state and territory programs' capacity to assist communities with National Flood Insurance Program compliance, including supporting communities' ongoing administration and enforcement of floodplain management standards as well as auditing community compliance with National Flood Insurance Program minimum standards and assisting local actions to address any issues.

- Support state and territory programs to ensure that communities adopt updated flood risk data in a timely and consistent manner, including adoption of any updated ordinances or regulations.
- Support state and territory programs to help communities adopt higher floodplain management standards.
- Support state and territory programs' efforts to increase understanding of floodplain management among local officials and other stakeholders through trainings, outreach, and technical assistance.
- Coordinate with other state or territory agencies and federal agencies to ensure that floodplain management information is benefiting other activities where appropriate.

The Community Assistance Program – State Support Services Element priorities detailed below highlight key items that applicants should focus on in administering funding authorized by this funding opportunity. These priorities provide guidance on important topics, tasks, and activities that funding should be allocated towards to support participation and compliance with the National Flood Insurance Program.

- 2026 Required Tiered State Framework Assessment: The Fiscal Year 2025 Period of Performance includes compilation and submission of the 2026 Required Tiered State Framework Assessment, which covers activities conducted in Fiscal Years 2022 2024. All grantees are required to submit for all characteristics as part of the Required Cycle. Grantees should prioritize budgeting time and resources in their Fiscal Year 2025 Statement of Work under eligible activity 5. Planning to prepare and submit their Tiered State Framework Assessment Tool and all associated evidence.
 - Oupcoming Changes to the 2029 Tiered State Framework: Fiscal Year 2025 is the first Period of Performance that will be scored in the next Required Assessment in 2029. Updates made to the Tiered State Framework Playbook, scorable in 2029, are applicable to Fiscal Year 2025 activities. Grantees should prioritize review and understanding of changes, and plan activities accordingly to ensure benchmarks are met.
- State and Territory Development Compliance: States and territories will continue to support efforts to document and improve compliance with the National Flood Insurance Program regulations for new and existing state and territory-owned and managed property in the Special Flood Hazard Area, by the deadline set in coordination with the region.
- National Flood Insurance Program Compliance Audit Redesign: FEMA has postponed the national implementation of the new National Flood Insurance Program Compliance Audit Program to Fiscal Year 2026. For Fiscal Year 2025, states and territories will be expected to attend webinars, trainings, and other events to increase their knowledge and understanding of the National Flood Insurance Program Compliance Audit Redesign in preparation for implementation in Fiscal Year 2026. In addition to engagements hosted by FEMA, states and territories will be expected to undertake activities within their own state or territory to plan and prepare for implementation, including becoming familiarized

to the new concepts, terminology, and processes. States and territories may also be requested to participate in additional testing of the compliance audit process and tools.

- O Note As part of the redesign effort FEMA will be phasing out the current Community Assistance Visit and Community Assistance Contact processes and transitioning to the new National Flood Insurance Program Compliance Audit process in Fiscal Year 2026. Community Assistance Contacts and Visits will continue to be processed until implementation of the new program Compliance Audit Program in Fiscal Year 2026, and any audits still open by this time will be closed in line with the previous processes. Once all existing Community Assistance Contacts and Visits have been closed, these processes will be formally ended.
- Community Information System: States and territories are required to enter activities into the Community Information System, FEMA's system of record. States and territories are expected to participate in training and engagements about the updated system and may be asked to provide feedback about future improvements.
 - Community Information System Quality Assurance: Review and quality assurance
 of Community Information System entries may necessitate updates to reflect
 correct and accurate data.

C. Program Rationale

Community Assistance Program – State Support Services Element funds and prioritizes mitigation efforts and investment in resilience at the state or territory level, to reduce disaster losses and suffering in communities nationwide participating in the National Flood Insurance Program. By providing financial and technical resources in support of National Flood Insurance Program implementation, the Community Assistance Program – State Support Services Element helps states and territories support communities through a variety of eligible activities (see Appendix A).

D. Federal Assistance Type: Cooperative Agreement

Each state or territory receiving a Community Assistance Program – State Support Services Element 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 this cooperative agreement. FEMA retains the authority to manage and direct recipient performance in support of Community Assistance Program – State Support Services Element objectives. The FEMA Regional Office determines the appropriate number of activities and ensures performance metrics are being met.

FEMA maintains full approval authority of grantees' proposed annual statement of work and all included activities, as well as any amendments to the approved statement of work. Expectations of National Flood Insurance Program participation are outlined in Title 44 Code of Federal Regulations Section 60.25. FEMA may exercise its authority to require a remedial plan, assign corrective actions, and/or stop a state or territory's funded activity immediately if the state or territory fails to meet these conditions.

E. Performance Measures and Targets

FEMA's Floodplain Management program monitors performance through four program measures to which State National Flood Insurance Program Coordinating Agencies are required to set and meet targets, in addition to any other annual performance commitments they have agreed upon with the FEMA Regional office. These include:

- *Map Adoption*. Grantees must meet the national metric of at least 93% map adoptions for those participating communities that receive Letters of Final Determination in their state or territory. Each FEMA Regional office may set higher targets for map adoption.
- Community Engagement. Grantees must have contact with a designated percentage of the communities in their state or territory by community audits, General Technical Assistance, Regulation Assistance, or Workshops. Grantees and the FEMA Regional Coordinator will negotiate "Expected" and "Excellence" targets for the percentage of communities that will be engaged during the Period of Performance. These targets will be documented in the Scope of Work.
- Higher Standards Adoption. Grantees 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 National Flood Insurance Program) as a result of the state or territory's efforts. Grantees and the FEMA Regional Coordinator will negotiate "Expected" and "Excellence" targets for the number of communities adopting a higher standard during the Period of Performance. These targets will be documented in the Statement of Work. A national Excellence target of 75% is in place.
- Community Compliance Improvement. Grantees must commit to a designated number of communities in which they will conduct community audits, opening new and closing existing community audits. This target will directly support the regional and national goal to assess a certain percentage of the entire National Flood Insurance Program every five years. Grantees and the FEMA Regional Coordinator will negotiate annual "Expected" and "Excellence" targets for the number of audits that will be conducted and closed during the Period of Performance. Annual targets will be documented in the Statement of Work and will roll-up into the five-Period of Performance compliance tracking period.

F. Program-Specific Unallowable Costs

The following cost types are unallowable for all grantees.

- Non-floodplain management exercise related costs
- Construction and renovation costs
- International travel, unless approved in advance otherwise by the managing federal agency
- Conducting floodplain studies or developing floodplain maps
- Activities covered under other federal grants (such as Cooperative Technical Partners), such as supporting/maintaining web-based digital mapping platforms

- Association of State Floodplain Managers or other professional association dues/memberships
- Duplication/reimbursement for state or territory-required and state or territory-funded (through appropriation or permit fee income) review activities, such as state or territory permitting
- Purchase of vehicles or office furniture/furnishings
- Activities directly chargeable to disaster funding

G. General Funding Requirements

Costs charged to federal awards (including federal and non-federal cost share funds) must comply with applicable statutes, rules and regulations, policies, this funding opportunity, and the terms and conditions of the federal award. This includes, among other requirements, that costs must be incurred, and products and services must be delivered within the budget period. 2 Code of Federal Regulations Section 200.403(h).

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

- 1. Matching or cost sharing requirements for other federal grants and cooperative agreements (see 2 Code of Federal Regulations Section 200.306).
- 2. Lobbying or other prohibited activities under <u>Title 18 United States Code Section 1913</u> or 2 Code of Federal Regulations Section 200.450.
- 3. Prosecuting claims against the federal government or any other government entity (see 2 Code of Federal Regulations Section 200.435).

Recipients must request prior approval for budget and program plan revisions in accordance with 2 Code of Federal Regulations Section 200.308.

Community Assistance Program – State Support Services Element funds can only be used to reimburse state or territory 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 Community Assistance Program – State Support Services Element 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 or territory's Community Assistance Program – State Support Services Element funding may be reduced or withheld.

H. Indirect Costs (Facilities and Administrative Costs) Indirect costs are allowed for recipients.

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

wish to use a cost allocation plan in lieu of an indirect cost rate proposal must reach out to FEMA for further instructions. As it relates to subrecipients, a recipient must follow the requirements of <u>2 Code of Federal Regulations Sections 200.332</u> and <u>200.414</u> in approving the indirect cost rate for subawards.

I. Management & Administration Costs

Management & Administration costs are allowed per 2 Code of Federal Regulations Section 200. Management & Administration costs are those defined as directly relating to the management and administration of Community Assistance Program – State Support Services Element funds, such as financial management, monitoring, and application development for subsequent Periods of Performance. Recipients only may use up to 5% of the amount for the award for Management & Administration activities.

Management & Administration activities are not overhead costs but are necessary direct costs incurred in direct support of the federal award or as a consequence of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct support of the program. As such, these costs can be itemized in financial reports.

J. Pre-Award Costs

Pre-award costs are not allowed.

K. Beneficiary Eligibility

There are no program requirements for beneficiary eligibility.

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

L. Participant Eligibility

There are no program requirements for participant eligibility.

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

M. Authorizing Authority

The National Flood Insurance Act of 1968, (<u>Public Law 90-448</u>), as amended, (Title 42 United States Code Section 4001 et. seq.), the Flood Disaster Protection Act of 1973 (<u>Pub. L. No. 93-234</u>), as amended, (Title 42 United States Code Section 4002 et seq.), and 44 Code of Federal Regulations Parts 59 and 60.

N. Appropriation Authority

Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4, Section 1101.

O. Budget Period

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

P. Prohibition on Covered Equipment or Services

Recipients, sub-recipients, and their contractors or subcontractors must comply with the prohibitions set forth in Section 889 of the <u>John S. McCain National Defense Authorization Act for Fiscal Year 2019</u>, which restrict the purchase of covered telecommunications and surveillance equipment and services. Please see 2 Code of Federal Regulations Sections 200.216, 200.327, 200.471, and Appendix II to 2 Code of Federal Regulations Part 200, and <u>FEMA Policy #405-143-1 - Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services for more information.</u>

4. Application Contents and Format

A. Pre-Application, Letter of Intent, and Whitepapers

Applicants are required to utilize the Activity Planning & Pricing Tool to develop a reasonable, defensible proposal based in actual financial information. The Activity Planning & Pricing Tool produces both a Statement of Work and a Detailed Budget to be included in the application. FEMA Regional Coordinators will review, provide feedback, and ultimately approve proposals prior to application submission.

Complete, draft Activity Planning & Pricing Tools, including base and discretionary activities are due to FEMA Regional Coordinator for review: July 14, 2025, 5 p.m. Eastern Time.

Applicants must confirm the correct Unique Entity Identifier number for their State National Flood Insurance Program Coordinating Agency with the Regional Coordinator by: July 14, 2025.

B. Application Content and Format

The final version of the Activity Planning & Pricing Tool should be provided to the FEMA Regional Coordinator.

The Detailed Budget and Statement of Work should be uploaded as .pdf files in FEMA GO.

C. Application Components

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

- 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. See section 3.H Indirect Costs for more information.

- **D.** Program-Specific Required Documents and Information

 The following program-specific forms or information are required to be submitted in FEMA GO:
 - Statement of Work: 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 Statement of Work shall be produced using the State Activity Planning & Pricing Tool which is provided annually by e-mail from the Program Manager. The Statement of Work should also include the applicant's most recent validated Tiered State Framework Assessment which will be provided by the FEMA 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 Activity Planning & Pricing Tool.

As noted in Section 2, applicants are required to have a valid Tiered State Framework Assessment to apply for the grant.

E. Post-Application Requirements for Successful Applicants

States and territories are required to enter floodplain management activities into Community Information System, FEMA's system of record. States and territories are also expected to participate in programmatic trainings and meetings, as offered, to ensure understanding of requirements, expectations, and updates. If changing the statement of work or budget is needed during 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 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 Program Manager and Grants Specialist. Final, approved versions of the Statement of Work and Detailed Budget should be uploaded to FEMA GO.

5. Submission Requirements and Deadlines

A. Address to Request Application Package

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

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

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

- a. Apply for, update, or verify their Unique Entity Identifier (UEI) number and EIN from the Internal Revenue Service:
- b. In the application, provide a Unique Entity Identifier number;
- c. Have an account with login.gov;
- d. Register for, update, or verify their System for Award Management (SAM) account and ensure the account is active before submitting the application;

- e. Register in FEMA GO, add the organization to the system, and establish the Authorized Organizational Representative (AOR). The organization's electronic business point of contact (eBiz point of contact) from the SAM registration may need to be involved in this step. For step-by-step instructions, see https://www.fema.gov/media-library/assets/documents/181607;
- f. Submit the complete application in FEMA GO; and
- g. Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. As part of this, applicants must also provide information on an applicant's immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded federal contracts or federal financial assistance within the last three years, if applicable.

Per 2 Code of Federal Regulations Section 25.110(a)(2)(iv), if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to receiving a federal award, the applicant must notify FEMA as soon as possible. Contact fema.dhs.gov and provide the details of the exigent circumstances.

How to Register to Apply:

General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Below are instructions for registering to apply for FEMA funds. Read the instructions carefully and prepare the requested information before beginning the registration process. Gathering the required information before starting the process will alleviate last-minute searches for required information.

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

Organizations must have a UEI number, EIN, and an active SAM registration.

Obtain a Unique Entity Identifier Number:

All entities applying for funding, including renewal funding, must have a Unique Entity Identifier number. Applicants must enter the Unique Entity Identifier number in the applicable data entry field on the SF-424 form. For more detailed instructions for obtaining a Unique Entity Identifier number, refer to SAM.gov.

Obtain Employer Identification Number:

In addition to having a UEI number, all entities applying for funding must provide an EIN. The EIN can be obtained from the Internal Revenue Service by visiting https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online.

Create a login.gov account:

Applicants must have a login.gov account in order to register with SAM or update their SAM registration. Applicants can create a login.gov account at: https://secure.login.gov/sign_up/enter_email?request_id=34f19fa8-14a2-438c-8323-a62b99571fd.

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

For more information on the login.gov requirements for SAM registration, refer to <u>General</u> Services Administration Federal Service Desk Service Portal.

Register with SAM:

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

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

Note: per <u>2 Code of Federal Regulations Section 25.200</u>, applicants must also provide the applicant's immediate and highest-level owner, subsidiaries, and predecessors that have been awarded federal contracts or federal financial assistance within the past three years, if applicable.

Register in FEMA GO, Add the Organization to the System, and Establish the Authorized Organizational Representatives:

Applicants must register in FEMA GO and add their organization to the system. The organization's electronic business point of contact (eBiz point of contact) from the SAM registration may need to be involved in this step. For step-by-step instructions, see: <u>FEMA GO Startup Guide</u>.

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

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

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

Submitting the Final Application:

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

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

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

B. Application Deadline

Aug. 11, 2025 at 5 p.m. Eastern Time

C. Pre-Application Requirements Deadline

The following requirements must be completed by the deadlines given below:

Complete, draft Activity Planning & Pricing Tools including both base and discretionary activities, are submitted to FEMA Regional Coordinators: July 25, 2025 at 5 p.m. Eastern Time.

D. Post-Application Requirements Deadline Not applicable.

E. Effects of Missing the Deadline

All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of submission and generates an electronic date/time stamp when FEMA GO successfully receives an application. The submitting Authorized Organizational Representative will receive via email the official date/time stamp and a FEMA GO tracking number to serve as proof of timely submission prior to the application deadline.

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

6. Intergovernmental Review

A. Requirement Description and State Single Point of Contact

An intergovernmental review may be required. Applicants must contact their state's <u>Single</u> Point of Contact (SPOC) to comply with the state's process under Executive Order 12372.

7. Application Review Information

A. Threshold Criteria

Applicants must be designated State National Flood Insurance Program Coordinating Agencies who develop and submit a reasonable, defensible Fiscal Year 2025 application using the Activity Planning & Pricing Tool. Applicants must have a valid Tiered State Framework assessment and have earned at least the minimum score for eligibility.

All applicants, except for Insular Areas, must include at least a 25% state match to be eligible. All activities included in the Activity Planning & Pricing Tool must be eligible

activities, as listed in <u>Appendix A</u> and as reviewed and approved by the Regional Coordinators.

B. Application Criteria

Applications will be reviewed to ensure conformance with the eligibility criteria in Section 2 and application submission requirements in Sections 4 and 5 of this funding opportunity. Applicants that do not meet eligibility or application submission requirements will be removed from consideration.

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 Code of Federal Regulations Section 60.25(b);
- Adherence to qualified funding levels determined by funding methodology described in Appendix B;
- A reasonable and achievable application outlining planned floodplain management activities, inclusive of annual performance measure targets, and discretionary activities as applicable.

C. Financial Integrity Criteria

Before making an award, FEMA is required to review Office of Management and Budget-designated databases for applicants' eligibility and financial integrity information. This is required by the Payment Integrity Information Act of 2019 (Pub. L. No. 116-117, Section 2 (2020)), Title 41 United State Code Section 2313, and the "Do Not Pay Initiative" (Title 31 United States Code 3354). For more details, please see 2 Code of Federal Regulations Section 200.206.

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

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

D. Supplemental Financial Integrity Criteria and Review

Before making an award expected to exceed the simplified acquisition threshold (currently a total federal share of \$250,000) over the period of performance:

FEMA is required by <u>Title 41 United States Code Section 2313</u>: to review or consider certain information found in SAM.gov. For details, please see <u>2 Code of Federal Regulations Section</u> 200.206(a)(2).

- 1. An applicant may review and comment on any information in the responsibility/qualification records available in SAM.gov.
- 2. Before making decisions in the risk review required by <u>2 Code of Federal Regulations</u> Section 200.206, FEMA will consider any comments by the applicant.

E. Reviewers and Reviewer Selection

FEMA Regional Office staff who are professionally and technically qualified in floodplain management will evaluate applications and select applications for funding.

F. Merit Review Process

State National Flood Insurance Program Coordinating Agencies with valid Tiered State Framework Assessments are eligible on an annual basis as long as their proposals are approved, and they meet the other requirements set forth in this funding opportunity. Proposals are reviewed and approved by FEMA Regional Office staff to align to program priorities, eligible activities, and allowable costs. Available Base Funding amounts are set prior to application development. More information on the Funding Methodology can be found in Appendix B.

There is competitive Discretionary Funding available, and the FEMA Regional Office staff sets annual priorities with regional leadership. Regional Coordinators have the authority to review and determine which Discretionary Activities they will fund for all states and territories in their region, in alignment to these priorities. Available Discretionary Determinations are based off of alignment to regional and program priorities, need, and other factors.

G. Final Selection

Applications are pre-approved by FEMA Regional Offices staff prior to submission; these staff work closely with State National Flood Insurance Program Coordinating Agencies to ensure that submitted applications are reasonable, focusing on outlined priorities, and achievable in the 12-month Period of Performance.

8. Award Notices

A. Notice of Award

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

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

FEMA will provide the federal award package to the applicant electronically on FEMA GO. Award packages include an Award Letter, Summary Award Memo, Agreement Articles, and Obligating Document. An award package notification email is sent via the grant application system to the submitting Authorized Organizational Representative.

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

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

B. Pass-Through Requirements Pass-through awards are not allowed.

C. Note Regarding Pre-Award Costs

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

D. Obligation of Funds

Regions obligate funds to State National Flood Insurance Program Coordinating Agencies following approval of the application. State National Flood Insurance Program Coordinating Agencies may draw down funding as appropriate.

E. Notification to Unsuccessful Applicants

Efforts will be made to rectify any application issues to ensure successful submission. Unsuccessful applicants will be contacted by their FEMA Regional Coordinator.

9. Post-Award Requirements and Administration

A. Administrative and National Policy Requirements

Presidential Executive Orders

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

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

Subrecipient Monitoring and Management

Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 Code of Federal Regulations Sections 200.331-333.

B. DHS Standard Terms and Conditions

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

A recipient under this funding opportunity must comply with the FY 2025 Department of Homeland Security Standard Terms and Conditions, v. 3 (Apr. 18, 2025), with the exception Paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) and paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration). Paragraphs C.IX and C.XVII(2)(a)(iii) do not apply to any federal award under this funding opportunity. The FY 2025 Department of Homeland Security Standard Terms and Conditions, v. 3 (Apr. 18, 2025) are available at www.dhs.gov/publication/dhs-standard-terms-and-conditions.

C. Financial Reporting Requirements

- 1. Recipients must report obligations and expenditures through a federal financial report. The Federal Financial Report form, also known as Standard Form 425 (SF-425), is available online at: SF-425 OMB #4040-0014.
- 2. Recipients must submit the Federal Financial Report quarterly throughout the Period of Performance as detailed below:

Reporting Period	Report Due Date
Q1: July 1 – Sept. 30	Oct. 30
Q2: Oct. 1 – Dec. 31	Jan. 30
Q3: Jan. 1 – March 31	April 30
Q4 (if applicable): April 1 – June 30	July 30
Final Federal Financial Report: 120 days after the end of the Period of Performance	Oct. 28

3. The final Federal Financial Report is due within 120 calendar days after the end of the Period of Performance.

FEMA may withhold future federal awards and cash payments if the recipient does not submit timely financial reports, or the financial reports submitted demonstrate lack of progress or provide insufficient detail.

D. Programmatic Performance Reporting Requirements

- 1. A Performance Report must be submitted quarterly throughout the Period of Performance, using the Quarterly Report Template from the Activity Planning & Pricing Tool. This template allows for summarization of completed work activities against the approved Statement of Work and tracks progress against Performance Measure targets.
- 2. A Performance Report must include:
 - Quarterly Report Cover Tab: Narrative information describing any risks or issues in completing planned activities, potential amendments, and progress, risks or issues with Other Costs, Contracts, or Travel.
 - Quarterly Report Activity Tracking Tab: Detailed progress on the quantity of activities completed, with notes for each activity. Grantees may include progress against hours allocated to activities, but this is optional.
 - Quarterly Report Performance Targets Tab: Detailed progress against annual Performance Measure targets.

Incomplete submissions will be returned for revision.

3. The Progress Report must be submitted through FEMA GO.

4. Performance Report Due Dates

Reporting Period	Report Due Date
Q1: July 1 – Sept. 30	Oct. 30
Q2: Oct. 1 – Dec. 31	Jan. 30
Q3: Jan. 1 – March 31	April 30
Q4 (if applicable): April 1 – June 30	July 30
Final Programmatic Performance Report: 120 days after the end of the Period of Performance	Oct. 28

E. Closeout Reporting Requirements

Within 120 days after the end of the period of performance, or after an amendment has been issued to close out a federal award, recipients must submit the following:

- 1. The final request for payment, if applicable.
- 2. The final Federal Financial Report.
- 3. The final progress report detailing all accomplishments.
- 4. A qualitative narrative summary of the impact of those accomplishments throughout the period of performance.
- 5. Other documents required by this funding opportunity, terms and conditions of the federal award, or other DHS Component guidance. If the final Federal Financial Report and performance report periods coincide with the end of the period of performance, FEMA has discretion under 2 Code of Federal Regulations Part 200 to waive the Quarter 4 report and only require the final Federal Financial Report and performance report for closeout purposes. The recipient is responsible for returning any balances of unobligated or unliquidated funds that have been drawn down that are not authorized to be retained per 2 Code of Federal Regulations Section 200.344(d).

After FEMA approves these reports, it will issue a closeout notice. The notice will indicate the period of performance as closed, list any remaining funds to be de-obligated, and address the record maintenance requirement. Unless a longer period applies, 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 <u>2 Code of Federal Regulations Section 200.334</u>, this maintenance requirement is three years from the date of the final Federal Financial Report.

Also, pass-through entities are responsible for closing out those subawards as described in 2 Code of Federal Regulations Section 200.344; subrecipients are still required to submit closeout materials within 90 calendar days of the subaward period of performance end date. When a subrecipient completes all closeout requirements, pass-through entities must promptly complete all closeout actions in time for the recipient to submit all necessary documentation and information to FEMA during the closeout of their prime award. The recipient is responsible for returning any balances of unobligated or unliquidated funds that

have been drawn down that are not authorized to be retained per <u>2 Code of Federal</u> Regulations Section 200.344(e).

Administrative Closeout

Administrative closeout is a mechanism for FEMA to unilaterally execute closeout of an award. FEMA will use available award information in lieu of final recipient reports, per 2 Code of Federal Regulations Section 200.344(h)-(i). It is an activity of last resort, and if FEMA administratively closes an award, this may negatively impact a recipient's ability to obtain future funding.

Additional Reporting Requirements

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

- **F.** Disclosing Information per 2 Code of Federal Regulations Section 180.335 Before entering into a federal award, the applicant must notify FEMA if it knows that the applicant or any of the principals (as defined at <u>2 Code of Federal Regulations Section 180.995</u>) for the federal award:
 - 1. Are presently excluded or disqualified;
 - 2. Have been convicted within the preceding three years of any of the offenses listed in Section 180.800(a) or had a civil judgment rendered against you for one of those offenses within that time period;
 - 3. Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with the commission of any of the offenses listed in Section 180.800(a); or
 - 4. Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

This is requirement is fully described in 2 Code of Federal Regulations Section 180.335.

Additionally, <u>2 Code of Federal Regulations Section 180.350</u> requires recipients to provide immediate notice to FEMA at any time after entering a federal award if:

- 1. The recipient learns that either it failed to earlier disclose information as required by 2 Code of Federal Regulations Section 180.335;
- 2. Due to changed circumstances, the applicant or any of the principals for the federal award now meet the criteria at 2 Code of Federal Regulations Section 180.335 listed above.
- **G.** Reporting of Matters Related to Recipient Integrity and Performance

 <u>Appendix XII to 2 Code of Federal Regulations Part 200</u> states the terms and conditions for recipient integrity and performance matters used for this funding opportunity.

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

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

2. The required reporting frequency is described in paragraph 4 of Appendix XII.

H. Single Audit Report

A recipient expending \$1,000,000 or more in federal awards (as defined by <u>2 Code of Federal Regulations Section 200.1</u>) during its fiscal year must undergo an audit. This may be either a single audit complying with <u>2 Code of Federal Regulations Section 200.514</u> or a program-specific audit complying with <u>2 Code of Federal Regulations Sections 200.501</u> and <u>200.507</u>. Audits must follow <u>2 Code of Federal Regulations Part 200, Subpart F</u>, 2 Code of Federal Regulations Section 200.501, and the U.S. Government Accountability Office Generally Accepted Government Auditing Standards.

I. Monitoring and Oversight

Per <u>2 Code of Federal Regulations Section 200.337</u>, DHS and its authorized representatives have the right of access to any records of the recipient or subrecipient pertinent to a Federal award to perform audits, site visits, and any other official use. The right also includes timely and reasonable access to the recipient's or subrecipient's personnel for the purpose of interview and discussion related to such documents or the Federal award in general.

Pursuant to this right and per <u>2 Code of Federal Regulations Section 200.329</u>, DHS may conduct desk reviews and make site visits to review and evaluate project accomplishments and management control systems as well as provide any required technical assistance. Recipients and subrecipients must respond in a timely and accurate manner to DHS requests for information relating to a federal award.

J. Program Evaluation

Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), <u>PUBL435.PS</u> urges federal agencies to use program evaluation as a critical tool to learn, improve delivery, and elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency." Evidence Act, Section 101 (codified at Title 5 United States Code Section 311). Office of Management and Budget A-11, Section 290 (Evaluation and Evidence-Building Activities) further outlines the standards and practices for evaluation activities. Federal agencies are required to specify any requirements for recipient participation in program evaluation activities (2 Code of Federal Regulations Section 200.301). Program evaluation activities incorporated from the outset in the Notice of Funding Opportunity and program design and implementation allow recipients and agencies to meaningfully document and measure progress and achievement towards program goals and objectives, and identify program outcomes and lessons learned, as part of demonstrating recipient performance (2 Code of Federal Regulations Section 200.301).

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

More details about evaluation requirements may be provided in the federal award, if available at that time, or following the award as evaluation requirements are finalized. Evaluation costs incurred during the period of performance are allowable costs (either as direct or indirect) in accordance with 2 Code of Federal Regulations Section 200.413.

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

K. Additional Performance Reporting Requirements None.

L. Termination of the Federal Award

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

2. Termination of the Federal Award by FEMA

FEMA may terminate the federal award in whole or in part for one of the following reasons identified in 2 Code of Federal Regulations Section 200.340:

- a. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.
- b. With the consent of the recipient, in which case FEMA and the recipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
- c. If the federal award no longer effectuates the program goals or agency priorities. Under this provision, FEMA may terminate the award for these purposes if any of the following reasons apply:
 - i. If DHS/FEMA, in its sole discretion, determines that a specific award objective is ineffective at achieving program goals as described in this NOFO;
 - ii. If DHS/FEMA, in its sole discretion, determines that an objective of the award as described in this NOFO will be ineffective at achieving program goals or agency priorities;
 - iii. If DHS/FEMA, in its sole discretion, determines that the design of the grant program is flawed relative to program goals or agency priorities;
 - iv. If DHS/FEMA, in its sole discretion, determines that the grant program is not aligned to either the DHS Strategic Plan, the FEMA Strategic Plan, or successor policies or documents;

- v. If DHS/FEMA, in its sole discretion, changes or re-evaluates the goals or priorities of the grant program and determines that the award will be ineffective at achieving the updated program goals or agency priorities; or
- vi. For other reasons based on program goals or agency priorities described in the termination notice provided to the recipient pursuant to 2 Code of Federal Regulations Section 200.341.
- vii. If the awardee falls out of compliance with the Agency's statutory or regulatory authority, award terms and conditions, or other applicable laws.

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

The pass-through entity may terminate a subaward in whole or in part for one of the following reasons identified in 2 Code of Federal Regulations Section 200.340:

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

4. Termination by the Recipient or Subrecipient

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

5. Impacts of Termination

- a. When FEMA terminates the federal award prior to the end of the period of performance due to the recipient's material failure to comply with the terms and conditions of the federal award, FEMA will report the termination in SAM.gov in the manner described at 2 Code of Federal Regulations Section 200.340(c).
- b. When the federal award is terminated in part or its entirety, FEMA or pass-through entity and recipient or subrecipient remain responsible for compliance with the requirements in 2 Code of Federal Regulations Sections 200.344 and 200.345.

6. Notification requirements

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

7. Opportunities to Object and Appeals

Where applicable, when FEMA terminates the federal award, the written notification of termination will provide the opportunity and describe the process to object and provide information challenging the action, pursuant to 2 Code of Federal Regulations Section 200.342.

8. Effects of Suspension and Termination

The allowability of costs to the recipient or subrecipient resulting from financial obligations incurred by the recipient or subrecipient during a suspension or after the termination of a Federal award are subject to 2 Code of Federal Regulations Section 200.343.

M. Best Practices

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

N. Payment Information

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

Instructions to Grant Recipients Pursuing Payments

FEMA reviews all grant payments and obligations to ensure allowability in accordance with 2 Code of Federal Regulations Section 200.305. These measures ensure funds are disbursed appropriately while continuing to support and prioritize communities who rely on FEMA for assistance. Once a recipient submits a payment request, FEMA will review the request. If FEMA approves a payment, recipients will be notified by FEMA GO and the payment will be delivered pursuant to the recipient's SAM.gov financial information. If FEMA disapproves a payment, FEMA will inform the recipient.

Processing and Payment Timeline

FEMA must comply with regulations governing payments to grant recipients. See <u>2 Code of Federal Regulations Section 200.305</u>. For grant recipients other than States, <u>2 Code of</u>

Federal Regulations Section 200.305(b)(3) stipulates that FEMA is to make payments on a reimbursement basis within 30 days after receipt of the payment request, unless FEMA reasonably believes the request to be improper. For state recipients, 2 Code of Federal Regulations Section 200.305(a) instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements ("Treasury-State agreement") and default procedures codified at 31 Code of Federal Regulations part 205 and Treasury Financial Manual (TFM) 4A-2000, "Overall Disbursing Rules for All Federal Agencies." See 2 Code of Federal Regulations Section 200.305(a).

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

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

Submission Process

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

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

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

- Whether the subrecipient's work or mission involves supporting aliens, regardless of whether FEMA funds support such activities.
- o Whether the payment request includes an activity involving support to aliens.
- o Whether the subrecipient has any diversity, equity, and inclusion practices.
- 5. Supporting documentation to demonstrate that expenses are allowable, allocable, reasonable, and necessary under <u>2 Code of Federal Regulations Part 200</u> and in compliance with the grant's funding opportunity, award terms, and applicable federal regulations.
- O. A recipient under this funding opportunity must comply with the FY 2025 Department of Homeland Security Standard Terms and Conditions, v. 3 (Apr. 18, 2025), with the exception Paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) and paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration). Paragraphs C.IX and C.XVII(2)(a)(iii) do not apply to any federal award under this funding opportunity. The FY 2025 Department of Homeland Security Standard Terms and Conditions, v. 3 (Apr. 18, 2025) are available at www.dhs.gov/publication/dhs-standard-terms-and-conditions.

10. Other Information

A. Period of Performance Extension

Extensions to the period of performance are allowed but may adversely impact a state or territory's Tiered State Framework score or tier. Extensions to the Period of Performance identified in the award will only be considered through formal, written requests to the recipient's FEMA Regional Office and must contain the following:

- The grant program, fiscal year, and award number;
- Reason for the delay –including details of the legal, policy, or operational challenges that prevent the final outlay of awarded funds by the deadline;
- Current status of the activity(ies);
- Approved Period of Performance termination date and new project completion date;
- Amount of funds drawn down to date;
- Remaining available funds, both federal and, if applicable, non-federal;
- Budget outlining how remaining federal and, if applicable, non-federal funds will be expended; and
- Plan for completion, including milestones and timeframes for achieving each milestone and the position or person responsible for implementing the plan for completion.

Extension requests will be granted only due to compelling legal, policy, operational challenges or other extenuating circumstances. Recipients should submit all proposed extension requests to FEMA for review and approval at least 60 days prior to the end of the Period of Performance (April 30) to allow sufficient processing time.

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

B. Other Information

a. Environmental Planning and Historic Preservation Compliance

FEMA is required to consider effects of its actions on the environment and historic properties to ensure that activities, grants and programs funded by FEMA, comply with federal environmental and historic preservation laws, Executive Orders, regulations, and policies.

Recipients and subrecipients proposing projects with the potential to impact the environment or cultural resources, such as the modification or renovation of existing buildings, structures, and facilities, and/or new construction and/or replacement of buildings, structures, and facilities, must participate in the FEMA environmental and historic preservation review process. This includes conducting early engagement to help identify resources, such as threatened or endangered species, historic properties, or communities with environmental concerns; submitting a detailed project description with supporting documentation to determine whether the proposed project has the potential to impact resources; and, identifying mitigation measures and/or alternative courses of action that may lessen impacts to those resources.

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

Guidance is found at <u>Environmental Planning and Historic Preservation</u>. The site contains links to documents identifying agency environmental and historic planning responsibilities and program requirements, such as implementation of the National Environmental Policy Act and other laws, regulations, and Executive Orders. Department of Homeland Security and FEMA environmental and historic preservation policy is also found in the <u>Environmental and Historic Preservation Directive and Instruction</u>.

All FEMA actions, including grants, must comply with National Flood Insurance Program criteria or any more restrictive federal, state, or local floodplain management standards or building code (44 Code of Federal Regulations Section 9.11(d)(6)). For actions located within or that may affect a floodplain or wetland, the following alternatives must be considered: a) no action; b) alternative locations; and c) alternative actions, including alternative actions that use natural features or nature-based solutions. Where possible, natural features and nature-based solutions shall be used. If not practicable as an alternative on their own, natural features and nature-based solutions may be incorporated into actions as minimization measures.

FEMA's Grant Program Directorate Environmental and Historic Preservation Screening Form is located at https://www.fema.gov/grants/tools/environmental-historic/preparation-resources.

For the Community Assistance Program – State Support Services Element, FEMA has prepared a Memo of Record, dated Feb. 24, 2025, that documents Environmental and

Historic Preservation compliance for the range of activities eligible for funding under this funding opportunity pursuant to FEMA's Instruction on Implementation of the Environmental Planning and Historic Preservation Responsibilities and Program requirements, <u>FEMA Instruction 108-1-1</u>.

b. Procurement Integrity

When purchasing under a FEMA award, recipients and subrecipients must comply with the federal procurement standards in <u>2 Code of Federal Regulations Sections 200.317-200.327</u>. To assist with determining whether an action is a procurement or instead a subaward, please consult <u>2 Code of Federal Regulations Section 200.331</u>.

For detailed guidance on the federal procurement standards, recipients and subrecipients should refer to various materials issued by FEMA's Procurement Disaster Assistance Team. Additional resources, including an upcoming trainings schedule can be found at this link: https://www.fema.gov/grants/procurement.

Under <u>2 Code of Federal Regulations Section 200.317</u> when procuring property and services under a federal award, States (including territories) and Indian Tribes, must follow the same policies and procedures they use for procurements from their non-federal funds; additionally, states and Indian Tribes must now follow <u>2 Code of Federal Regulations Section 200.322</u>, regarding domestic preferences for Procurements and <u>2 Code of Federal Regulations Section 200.327</u> regarding required contract provisions. States, but not Indian Tribes, must also follow <u>2 Code of Federal Regulations Section 200.323</u> regarding procurement of recovered materials.

Local government and nonprofit recipients or subrecipients must have and use their own documented procurement procedures that reflect applicable State, Local, Tribal, and Territorial laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in 2 Code of Federal Regulations Part 200.

1. Important Changes to Procurement Standards in 2 Code of Federal Regulations Part 200

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

More information on Office of Management and Budget's revisions to the federal procurement standards can be found in <u>Purchasing Under a FEMA Award: 2024 OMB</u> Revisions Fact Sheet.

2. Competition and Conflicts of Interest

<u>2 Code of Federal Regulations Section 200.319(b)</u>, applicable to local government and nonprofit recipients or subrecipients, requires that contractors that develop or draft specifications, requirements statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. FEMA considers these

actions to be an organizational conflict of interest and interprets this restriction as applying to contractors that help a recipient or subrecipient develop its grant application, project plans, or project budget. This prohibition also applies to the use of former employees to manage the grant or carry out a contract when those former employees worked on such activities while they were employees of the recipient or subrecipient.

Under this prohibition, unless the recipient or subrecipient solicits for and awards a contract covering both development <u>and</u> execution of specifications (or similar elements as described above), and this contract was procured in compliance with <u>2 Code of Federal Regulations</u> <u>Sections 200.317-200.327</u>, 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.

In addition to organizational conflicts of interest, 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;
- 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.

Under 2 Code of Federal Regulations Section 200.318(c)(1), local government and nonprofit recipients or subrecipients 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 recipient or subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the recipient or subrecipient may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The recipient's or subrecipient's standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.

Under <u>2 Code of Federal Regulations Section 200.318(c)(2)</u>, if the local government and nonprofit recipient or subrecipient has a parent, affiliate, or subsidiary organization that is not

a State, Local, Tribal, and Territorial government, the recipient or subrecipient must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflict of interest means that because of a relationship with a parent company, affiliate, or subsidiary organization, the recipient or subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. The recipient or subrecipient must disclose in writing any potential conflicts of interest to FEMA or the pass-through entity in accordance with applicable FEMA policy.

3. Supply Schedules and Purchasing Programs

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

Information about General Services Administration programs for states, Indian Tribes, and local governments, and their instrumentalities, can be found at <u>Programs for state and local government | GSA.</u>

4. Procurement Documentation

Per 2 Code of Federal Regulations Section 200.318(i) local government and nonprofit recipients or subrecipients 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 Indian Tribes are reminded that in order for any cost to be allowable, it must be adequately documented per 2 Code of Federal Regulations Section 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.

c. Mandatory Disclosures

The non-Federal entity or applicant for a federal award must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award, 2 Code of Federal Regulations Section 200.113.

d. Adaptive Support

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

e. Record Retention

1. 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 <u>at least</u> three years from the date the final Federal Financial Report is submitted. See <u>2 Code of Federal Regulations Section 200.334</u>. Further, if the recipient does not submit a final Federal Financial Report 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.

2. Types of Records to Retain

FEMA requires that recipients and subrecipients maintain the following documentation for federally funded purchases:

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

f. 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, funding opportunities, 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.

In the case of any potential or actual noncompliance, FEMA may place special conditions on an award per <u>2 Code of Federal Regulations Section 200.208</u> and <u>2 Code of Federal Regulations Section 200.339</u>. FEMA may place a hold on funds until the matter is corrected, additional information is provided per <u>2 Code of Federal Regulations Section 200.339</u>, or it may do both. Similar remedies for noncompliance with certain federal civil rights laws are

authorized pursuant to <u>44 Code of Federal Regulations Section Part 7</u> and <u>44 Code of Federal Regulations Section Part 19</u> or other applicable regulations.

If the noncompliance is not able to be corrected by imposing additional conditions or the recipient or subrecipient refuses to correct the matter, FEMA may take other remedies allowed under <u>2 Code of Federal Regulations Section 200.339</u>.

g. Audits

FEMA grant recipients are subject to audit oversight from multiple entities including the DHS Office of the Inspector General, the Government Accountability Office, 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 Office of Inspector General, the Government Accountability Office, and the pass-through entity (if applicable), and FEMA in its oversight capacity, must have access to records pertaining to the FEMA award.

11. Appendices

Appendix A. CAP-SSSE Eligible Activities

FEMA expects the activities described below, as applicable, to be performed by the State National Flood Insurance Program Coordinating Agency in coordination with the region and to be defined in the Statement of Work.

The State National Flood Insurance Program Coordinating Agencies propose quantities of activities to accomplish their desired resilience outcomes and Tiered State Framework tier, and the FEMA Regional Office reviews and approves to ensure appropriate level of effort and that performance measures are achievable.

There may be activities that are not applicable to state or territory activity in a given year (e.g., #13 assistance to communities in responding to disasters, or #9 if all communities are enrolled), but states and territories are expected to conduct all activities as appropriate.

These activity numbers coincide with the eligible activity numbers listed in the Activity Planning & Pricing Tool. Some eligible activities are broken out more specifically in the Activity Planning & Pricing Tool.

- 0. **Management & Administration Costs**: States and territories may use up to 5% of their total award (federal and state share) towards Management & Administration activities, including financial management, monitoring, and development of application materials for the next Period of Performance. More information can be found in Section 3.I
 Management & Administration Costs.
- 1. Selection of Communities that Receive Community Audits (Community Assistance Contacts, Community Assistance Visits), Trainings or Other Technical Assistance:
 - Community Selection (with the FEMA Region): Coordination with FEMA region to determine which communities will receive technical assistance (e.g., Community Assistance Visits, Community Assistance Contacts, training) during the period of performance is expected. 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 in or need for support, as well as regional priorities.
- <u>Community Engagement Prioritization Tool Use</u>: Use of the Floodplain Management Program's Community Engagement Prioritization Tool is required to guide and negotiate community selection.

2. Community Information System Entry:

- Community Information System Entry: Grantees must use the Community Information System to document grant activities, including information on regulations adoption, community audits, training, and general technical assistance. Community Information System updates should be made as activities are completed. FEMA monitors Community Information System data entry and may require update of any identified discrepancies.
- <u>National Violation Tracker Input</u>: Grantees are expected to input confirmed violations and update the status of existing violations into the National Violation Tracker in the Community Information System. In addition, they are expected to monitor the tracker regularly to determine community compliance. Grantees may also use the National Violation Tracker as a diagnostic tool to prioritize community audits.

3. Community Compliance Activities:

- Audits (Community Assistance Contacts/Community Assistance Visits): Grantees
 are required to conduct community audit activities (relating to Community
 Assistance Visits, Community Assistance Contacts, and potential violations
 identified in the National Violation Tracker). Audits contribute to the Community
 Compliance Improvement Metric.
- <u>Follow-Up</u>: Grantees must also provide appropriate follow-up to these audits by
 providing technical assistance to communities to support correction of program
 deficiencies and remedy violations to the maximum extent possible. States and
 territories must coordinate with the FEMA Regional Office to clarify the necessary
 follow-up actions to be provided and refer any needed compliance actions to the
 Regional Office.
- Compliance for State-Owned and -Managed Development: Grantees should support or lead compliance activities related to state or territory-owned and -managed development in the Special Flood Hazard Area. This includes developing or assisting in the development of processes for compliance and violation tracking and addressing violations for state or territory-owned and managed development in both participating communities and non-participating communities.
- <u>National Violation Tracker Activities</u>: Grantees should facilitate interaction with communities on the National Violation Tracker list, including activities focused on community follow-up, violation validation, mitigation of validated violations, and reinstatement of Community Rating System discounts.

4. Floodplain Management Regulation Assistance:

• Regulation Assistance: Grantees must assist communities in reviewing local regulations to ensure compliance with National Flood Insurance Program requirements and adoption before Flood Insurance Rate Maps become effective. This is a critically important task and 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. Grantees are assessed against a map adoption performance measure. Regulation updates must be entered on the Community Ordinance Summary page in the Community Information System.

5. **Planning**:

- <u>Planning Activities</u>: Plans should support the goals and objectives of the National Flood Insurance Program. Eligible planning activities also include providing technical assistance for the development of other state or territory plans.
- <u>Strategic Planning:</u> States and territories should create a multi-year floodplain management plan in coordination with the State Hazard Mitigation Plan, Cooperating Technical Partners Plan, or other state or territory planning activities. Coordinated strategic planning provides an opportunity to assess the status of a state or territory program and plan for future year demands.
- <u>Tiered State Framework Assessments and Plans</u>: Grantees are required to submit a Tiered State Framework Assessment at least every three Periods of Performance. Time spent compiling and developing required or off-cycle Tiered State Framework Assessments are eligible under this activity, including in years where a grantee is not planning to submit. Grantees are encouraged to create multi-year plans to outline and sequence activities that will lead to an improved score and tier. More information about Tiered State Framework requirements can be found in <u>Section 2.E Additional Restrictions</u>.

6. Model Regulation Updates and Monitoring of State or Territory Regulatory Environment:

- Model Regulations: Grantees are encouraged to offer their communities model regulations containing the minimum requirements outlined in 44 Code of Federal Regulations Section 60.3 and any state or territory requirements and to monitor legal issues affecting floodplain management regulations and activities related to state or territory building code adoption and modifications. State or territory model regulations are encouraged to include higher regulatory standards. Grantees can assist communities in updating their regulations to include higher standards. Grantees are assessed against 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 the Community Information System.
- Model Building Codes: Grantees can adopt a building code that is based on one or more of the model codes developed by the International Code Council also known as I-Codes. Unless modified, the model codes contain National Flood Insurance Program-consistent flood provisions for buildings and structures. Grantees can review their model community regulations and provide technical assistance to

communities most at risk to ensure that they understand the implications of these building codes and how the codes are enforced with respect to National Flood Insurance Program requirements. State Coordinators will be required to coordinate with their counterparts in the state or territory code commission or agency that is responsible for the building code, especially with respect to interpretations that the code commission or agency may be asked to issue. Model companion floodplain management regulations designed specifically to coordinate with building codes based on the I-Codes are available from the Building Science staff at the FEMA Regional Offices. FEMA Building Science supports and tracks the adoption of hazard-resistant building codes within the comprehensive Building Code Adoption and Tracking Portal, which can be found—along with additional information and fact sheets—at: Building Code Adoption Tracking | FEMA.gov.

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

7. Outreach, Workshops, and Other Training:

- General Outreach, Workshops, and Other Training: Grantees should conduct 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 National Flood Insurance Program insurance training, and support of local and state and territory planning initiatives. Grantees should conduct workshops and other training and outreach opportunities to promote the purchase of insurance to improve communities' flood resilience and decrease disaster suffering. Grantees should publish a schedule of trainings at appropriate locations to maximize coverage of all communities. Outreach, workshops, and training should be planned in coordination with the region.
- Training Activities and Credentialing: FEMA encourages state and territory floodplain management personnel to attain Certified Floodplain Manager credentials. Grantee employees that are involved in floodplain management activities may use Community Assistance Program State Support Services Element funds for costs associated with the initial exam and biennial Certified Floodplain Manager renewal fees. Grantees are further encouraged to sponsor and proctor Certified Floodplain Manager exams. Funding cannot be used to reimburse the Association of State Floodplain Managers or other professional membership fees, but it can be used for the Certified Floodplain Manager test and to maintain the biennial renewal. At the discretion of the region, grantees may use limited funding to allow local officials to attend and assist with the annual Association of State Floodplain Managers conference. These costs must be negotiated with the region as part of the annual agreement.

- <u>Programmatic Meetings</u>: Funds may be used to reimburse time and travel costs associated with programmatic meetings and training, including attendance by state or territory floodplain management personnel at the Association of State Floodplain Managers National Conference, FEMA Regional Office Community Assistance Program State Support Services Element Coordination Meetings, state or territory <u>Silver Jackets</u> coordination meetings, and the FEMA Hazard Mitigation Workshop as well as ad-hoc webinars and training. Other national and regional meetings related to floodplain management may be considered for reimbursement if approved in advance by FEMA Regional Office staff.
- Compliance Audit Redesign Familiarization and Training: Funds should be used for labor costs associated with reviewing draft or final materials, providing feedback, discussing and preparing for implementation, and attending training related to the forthcoming Compliance Audit process.
- 8. **General Technical Assistance**: Grantees should provide general technical assistance to communities and individuals to resolve floodplain management issues related to the National Flood Insurance Program.
 - <u>Tailored Technical Assistance</u>: This includes targeted community or stakeholderspecific engagements, including answering questions from community officials and the public, among other types of assistance.
 - Newsletters and Non-Tailored Technical Assistance: Untailored, general information distributions, newsletters, announcements, and statewide mass-blasts, including about training opportunities, regulatory updates, or other notices, should be categorized as the "Other" General Technical Assistance type in the Community Information System.
- 9. **Enrollment of Communities**: Grantees should encourage non-participating communities to join the program. Grantees should assist communities in joining the National Flood Insurance Program 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 National Flood Insurance Program minimum standards are met.
- 10. Community Rating System Support: Grantees should assist communities in joining the National Flood Insurance Program Community Rating System through providing information on requirements to join, conducting entry audits and providing support for activities credited by Community Rating System. Grantees should also support communities in maintaining or improving their Community Rating System class.
- 11. Coordination with Other Programs and Agencies: State Coordinating Agencies should 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 and repetitive loss structures, identifying and communicating flood risk, and ensuring compliance with the National Flood Insurance Program regulations.
 - <u>Coordination with Grant Programs</u>: Grantees should coordinate with other FEMA grant programs that impact floodplain management, including Public Assistance

- and Hazard Mitigation Assistance programs such as the Hazard Mitigation Grant Program Swift Current, and Flood Mitigation Assistance.
- Coordination with Other Federal Agencies: Grantees should coordinate with other federal agencies besides FEMA. Coordination with federal agencies that impact floodplain management often involves projects to mitigate structures, identify flood risk and develop/maintain flood control structures. Federal agencies often involved in these activities are: Housing and Urban Development, United States Army Corps of Engineers, United States Geological Survey, National Oceanic Atmospheric Administration Coastal Zone Management, and the Department of Interior Bureau of Reclamation.
- <u>Coordination with State and Territory Offices</u>: Coordination with other state or territorial offices is expected in order to promote sound floodplain management. This requires working with state or territorial programs such as dam safety, land use, building code, water resources programs, department of transportation, port authority, insurance, environmental or any agency conducting/affecting activity within the floodplain.
- Floodplain Management of State and Territory-Owned and -Managed Properties: State National Flood Insurance Program Coordinating Agencies are expected to coordinate with other state or territorial agencies to address any regulatory and program gaps identified in response to FEMA's ongoing efforts to verify compliance for state or territory-owned and-managed development. FEMA will provide support to grantees in these efforts, but grantees are expected to spearhead any necessary efforts to update and strengthen their regulations and programs.
- State or Territory Audit: The FEMA Regional Offices may determine that a community audit of the state or territory floodplain management program is appropriate. These could include specific touchpoints for known National Flood Insurance Program development issues, such as focusing on a specific state or territorial agency with known violations in the Special Flood Hazard Area. Regional staff may request assistance from state or territorial officials in collection of data and other preparations for conducting the community audit.
- Floodplain Management of Federally Owned, Funded, and Managed Properties: Grantees should coordinate with FEMA and other federal agencies to address any regulatory and program requirements for federally-owned and -managed properties. This could include 1) serving as an applicant or subapplicant to a federal assistance program, 2) providing subject matter expertise on state or territory- or local-level floodplain management, 3) project coordination with federal agencies on the execution of a federally funded project.

12. Mapping Coordination Assistance:

- <u>Develop Mapping Priorities</u>: As part of the flood hazard mapping program process, grantees must work with the regions to develop flood mapping priorities and participate in community meetings held as part of the mapping process.
- <u>Coordination with Cooperating Technical Partners</u>: In addition to Community Assistance Program State Support Services Element grants, grantees are eligible

for Cooperating Technical Partners Program Management funding to meet these responsibilities. The activities in the Statement of Work must be developed separately from but in coordination with the Cooperating Technical Partners Program Management plans to ensure that Cooperating Technical Partners and Community Assistance Program – State Support Services Element activities are complementary and that grantees will meet all of their responsibilities. 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.

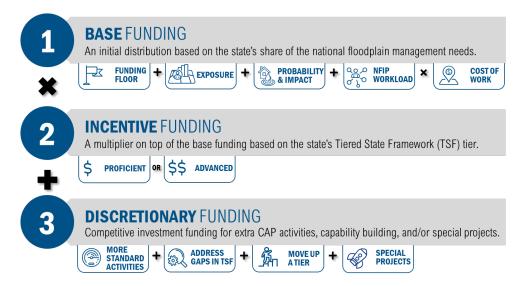
13. Assistance to Communities in Responding to Disasters:

- Post-Disaster Support: Grantees are expected to provide post-disaster assistance and support to National Flood Insurance Program 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, National Flood Insurance Program Increased Cost of Compliance coverage, use of best available data, promotion of insurance coverage, identification of potential mitigation grant projects, and mitigation measures to increase resilience. An amendment to the approved Statement of Work is expected should significant disaster activity occur to adjust for post-disaster floodplain management activities.
- <u>Hazard Mitigation Strategy</u>: Following presidentially declared disasters, grantees are expected to participate in the development and implementation of the Hazard Mitigation Strategy by identifying and implementing activities that support National Flood Insurance Program compliance in recovering communities.
- Blue-Skies Support: Grantees must ensure they are conducting activities to prepare
 National Flood Insurance Program communities to enforce the substantial damage
 provisions of their regulations. National guidance has been developed to help
 outline expectations for states and territories. It is expected that states and territories
 will negotiate specific activities with their FEMA Regional Coordinator which will
 be defined in their Statements of Work.
- <u>Disaster Recovery Reform Act Section 1206</u>: Grantees may provide support to states and territories and communities accessing substantial damage data using Disaster Recovery Reform Act Section 1206. FEMA published the final policy for implementation of Section 1206 of the Disaster Recovery Reform Act on Oct. 19, 2020 and has developed a <u>suite of outreach and workshop materials</u> that states and territories should utilize to assist their communities in understanding which activities may be eligible for reimbursement post-disaster.
- 14. **Endangered Species Act:** Grantees with Endangered Species Act considerations may leverage funding to support Endangered Species Act activities, including trainings and coordinating with other state and territorial agencies, federal agencies, and communities that have Endangered Species Act responsibilities. Decisions and actions that are beneficial for wildlife habitat and floodplains are good for hazard reduction and community resilience. More information on FEMA's coordination on the Endangered Species Act can be found here on FEMA.gov.

Appendix B. Funding Methodology

The Community Assistance Program – State Support Services Element funding methodology is a multi-step process that makes funding available to states and territories based on relative risk and workload, Tiered State Framework tier, and competition. The Funding Methodology is "refreshed" with new data only after a required Tiered State Framework Assessment to provide consistent and reliable funding for three Periods of Performance. Any Tiered State Framework improvements during off-cycle Assessments are covered by the national Discretionary funding.

There are three elements of the funding methodology as illustrated in the figure below.



1. **Base Funding**: An initial amount made available to each state or territory based on the share of the national floodplain management needs. The base funding made available to each state or territory is based on the following weighted formula:

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

The Funding Floor – which all grantees start with – is \$45,000. The next three factors are Exposure, Probability & Impact (P&I), and National Flood Insurance Program Workload:

Factor	Data Used	% of Base Funding
Exposure: Relative risk to flood hazards	The estimated number of structures in the Special Flood Hazard Area (from Flood Insurance Directorate /National Structure inventory) and population growth projections (from the Community Engagement Prioritization Tool/Environmental Systems Research Institute, estimated increase in structure in Special Flood Hazard Area dataset)	25%
Probability & Impact: Most frequent/ severe flood disasters	The number of declared flood disasters since 2008 (from OpenFEMA) and the total amount of paid National Flood Insurance losses since 1978 (from the Community Information System)	25%
National Flood Insurance Program Workload: Most jurisdictions requiring support	The number of flood prone communities in the state or territory (from the Community Information System, adjusted to only those with identified flood hazard), the land area (from Census), and projected number of Flood Insurance Rate Maps going effective (from number of Community Identification numbers in Mapping Projects at post-preliminary or beyond)	50%

For Exposure, Probability & Impact, and National Flood Insurance Program Workload, these factors rank states and territories into one of four levels, and within each level, the funding is distributed evenly between the grantees:

- Top 10% for each factor split 35% of funding allocated to each factor.
- 50-90th Percentile for each factor split 45% of funding allocated to each factor.
- 10-50th Percentile for each factor split 20% of funding allocated to each factor.
- Bottom 10% receive no funding for that 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 federal wage adjustment tables for the state or territory capital city where the State Coordinating Office is assumed to be physically located.

- 2. **Incentive Funding**: A multiplier on top of the base funding based on the state or territory's Tiered State Framework Tier.
 - Proficient grantees: An additional 15% of their base funding is made available.
 - Advanced grantees: An additional 30% of their base funding is made available.

For example, if a Proficient grantee qualifies for \$100,000 in Base Funding, an additional \$15,000 of Incentive Funding would be added to their total available funding.

3. **Discretionary Funding**: Competitive funding for additional activities, capability building, and special activities. Regions receive the same proportion of the national discretionary funding total as they receive in base funding (i.e., 15% of available base funding = 15% of available discretionary funding). Available discretionary funding varies year-to-year. Regions retain the authority to select proposed Discretionary activities for funding.

Discretionary funding is available to any state or territory and awarded based on the alignment of the proposed activities to regionally-set discretionary priorities. FEMA regions provide additional details, guidance, and considerations around Discretionary Priorities during Statement of Work development each year.

It is critical to note that while the Community Assistance Program – State Support Services Element funding methodology establishes a framework for making funding available to state and territory programs, applications are still competitively evaluated, and awards are made in accordance with the application review criteria found in Section 2 of this funding opportunity.