

# The Department of Homeland Security (DHS)

## Notice of Funding Opportunity (NOFO)

### Fiscal Year 2024 & 2025 Building Resilient Infrastructure and Communities (BRIC)

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

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**1. Basic Information**

<b>A. Agency Name</b>	U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Resilience, Hazard Mitigation Directorate, Hazard Mitigation Assistance Division (HMA)
<b>B. NOFO Title</b>	Building Resilient Infrastructure and Communities
<b>C. Announcement Type</b>	Initial
<b>D. Funding Opportunity Number</b>	DHS-25-MT-047-00-98
<b>E. Assistance Listing Number</b>	97.047
<b>F. Expected Total Funding</b>	<p><b>Available Funding for the NOFO: <span style="float: right;">\$1,000,000,000</span></b></p> <ul style="list-style-type: none"> <li>• State/Territory Allocation Subtotal: <span style="float: right;">\$112,000,000</span></li> <li>• Tribal Set-Aside Subtotal: <span style="float: right;">\$50,000,000</span></li> <li>• State/Territory Building Code Plus-Up Subtotal: <span style="float: right;">\$56,000,000</span></li> <li>• Tribal Building Code Plus-Up Subtotal: <span style="float: right;">\$25,000,000</span></li> <li>• National Competition Subtotal: <span style="float: right;">\$757,000,000</span></li> </ul> <p>An applicant may not receive more than 15% of the total available funding announced in this funding opportunity. The 15% cap will include the combined total of all funding category requests (i.e., Management Costs, State/Territory Allocation, Tribal Set-Aside, Building Code Plus-Up and National Competition).</p> <p><b>State/Territory Maximum Allocation &amp; Activity Caps: \$2,000,000</b></p> <ul style="list-style-type: none"> <li>• The maximum allocation for a state or territory under this category is \$2,000,000, covering all activities/projects, including management costs.</li> <li>• Each state/territory may apply for up to \$2,000,000 in the State/Territory Allocation. The State/Territory Allocation may be used for capability- and capacity-building activities that are directly tied to infrastructure, such as building code adoption and enforcement and/or hazard mitigation projects. Hazard Mitigation Plan development or updates, and other project scoping activities not directly supporting infrastructure are not eligible.</li> <li>• The combined cost for all eligible activities under the State/Territory Allocation must not exceed \$2,000,000 federal cost share per applicant. Additionally, the applicant’s highest ranked subapplication for the State/Territory Allocation must not exceed \$2,000,000 federal cost share.</li> <li>• Up to 10% of any subapplication may be used for information dissemination activities, including public awareness and education (brochures, workshops, videos, etc.) only if these</li> </ul>

	<p>activities are directly related to an eligible infrastructure project or building code activity.</p> <p><b>Tribal Set-Aside Activity Caps</b> <span style="float: right;"><b>\$50,000,000</b></span></p> <ul style="list-style-type: none"> <li>• The combined cost for capability- and capacity-building activities under the Tribal Set-Aside must not exceed \$2,000,000 federal cost share per applicant. Additionally, the applicant’s highest ranked subapplication for the Tribal Set-Aside must not exceed \$2,000,000 federal cost share.</li> <li>• Up to 10% of any subapplication may be used for information dissemination activities, including public awareness and education (brochures, workshops, videos, etc.) only if these activities are directly related to an eligible infrastructure project or building code activity.</li> <li>• In the event that more than \$50,000,000 in subapplications is submitted under the Tribal Set-Aside, the capability- and capacity-building activities and highest-ranked hazard mitigation project subapplications up to \$50,000,000 will be selected. Once the \$50,000,000 is selected, all remaining tribal hazard mitigation project subapplications will be evaluated under the National Competition.</li> </ul> <p><b>State/Territory Building Code Plus-Up</b> <span style="float: right;"><b>\$1,000,000</b></span></p> <ul style="list-style-type: none"> <li>• The maximum allocation for a state or territory under this category is \$1,000,000, to carry out eligible building code adoption and enforcement activities such as <ul style="list-style-type: none"> <li>○ Evaluate adoption and/or implementation of codes that reduce risk</li> <li>○ Enhance existing adopted codes to incorporate more current requirements or higher standards (excluding construction)</li> <li>○ Develop professional workforce capabilities relating to building codes through technical assistance and training</li> </ul> </li> <li>• Activities under this category should enable the adoption and enforcement of current or next most recent hazard-resistant consensus-based model building codes such as the International Building Code (IBC) and the International Residential Code (IRC) published by the International Code Council (ICC), either through Mandatory State-Wide or Territory Building Code Adoption Requirement or via Local Code Adoption Requirement (2021 or 2024 versions of IBC and IRC). For any consensus-based codes, specifications or standards used to carry out these activities, the two most recently published editions may be used.</li> <li>• Building Code Plus-Up funds may only be applied to eligible building code activities and may not be used for other BRIC</li> </ul>
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	<p>eligible projects or activities. Funds not allocated to eligible building codes activities will result in loss of funds.</p> <p><b>Tribal Building Code Plus-Up</b> <span style="float: right;"><b>\$25,000,000</b></span></p> <ul style="list-style-type: none"> <li>• The maximum total selection for the Tribal Building Code Plus-Up is \$25,000,000, to carry out eligible building code adoption and enforcement activities such as <ul style="list-style-type: none"> <li>○ Evaluate adoption and/or implementation of codes that reduce risk</li> <li>○ Enhance existing adopted codes to incorporate more current requirements or higher standards (excluding construction)</li> <li>○ Develop professional workforce capabilities relating to building codes through technical assistance and training</li> </ul> </li> <li>• Activities under this category should enable the adoption and enforcement of current or next most recent hazard-resistant consensus-based model building codes such as the International Building Code (IBC) and the International Residential Code (IRC) published by the International Code Council (ICC), either through Mandatory State-Wide or Territory Building Code Adoption Requirement or via Local Code Adoption Requirement (2021 or 2024 versions of IBC and IRC). For any consensus-based codes, specifications or standards used to carry out these activities, the two most recently published editions may be used.</li> <li>• Building Code Plus-Up funds may only be applied to eligible building code activities and may not be used for other BRIC eligible projects or activities. Funds not allocated to eligible building codes activities will result in loss of funds.</li> </ul> <p><b>National Competition Cap</b> <span style="float: right;"><b>\$20,000,000</b></span></p> <p>Applicants may submit an unlimited number of hazard mitigation project subapplications, each valued up to \$20,000,000 federal share, to the National Competition. FEMA will commit to reviewing two times the total value of the National Competition.</p>
<b>G. Anticipated Number of Awards</b>	Varies based on funding availability
<b>H. Expected Award Range</b>	See “Expected Total Funding” subsection
<b>I. Projected Application Start Date</b>	03/25/2026 03:00 p.m. Eastern Time (ET)
<b>J. Projected Application End Date</b>	07/23/2026 03:00 p.m. Eastern Time (ET)

<b>K. Anticipated Funding Selection Date</b>	Will vary by award
<b>L. Anticipated Award Date</b>	Will vary by award
<b>M. Projected Period of Performance Start Date</b>	Will vary by award
<b>N. Projected Period of Performance End Date</b>	36 months from date of the award unless otherwise specified by FEMA.  Any subsequent amendments to the federal award will not extend the Period of Performance (POP) unless explicitly stated.
<b>O. Executive Summary</b>	The Building Resilient Infrastructure and Communities (BRIC) grant program makes federal funds available for hazard mitigation activities with the goal of lowering future disaster costs. It does so with a recognition of the need to upgrade and modernize the nation’s infrastructure against natural weather disasters, and of the need for natural hazard risk mitigation activities and resilience with respect to those hazards.
<b>P. Agency Contact</b>	<p><b>a. Program Office Contact</b></p> <p>General questions about the BRIC program can be directed to the appropriate <a href="#">FEMA Regional Office</a> or <a href="#">State Hazard Mitigation Officer</a>.</p> <p>Tribal nations can find their Regional Tribal Liaison email at the <a href="#">Federally Recognized Tribes</a> webpage. Tribal nations with land that crosses multiple FEMA regions should work with the region in which their tribal headquarters is located; that will be their primary region of support.</p> <p>The HMA Helpline is available by email <a href="mailto:fema-hmahelpline@fema.dhs.gov">fema-hmahelpline@fema.dhs.gov</a>.</p> <p>For questions about cost-effectiveness and FEMA’s Benefit Cost Analysis (BCA) software, contact the BC Helpline by email <a href="mailto:BCHelpline@fema.dhs.gov">BCHelpline@fema.dhs.gov</a>.</p> <p>The Building Science Helpline is available for guidance on FEMA Building Science publications by email <a href="mailto:FEMA-BuildingScienceHelp@fema.dhs.gov">FEMA-BuildingScienceHelp@fema.dhs.gov</a>.</p> <p>A helpline for guidance on FEMA Safe Room publications is available by email <a href="mailto:FEMA-BuildingScienceHelp@fema.dhs.gov">FEMA-BuildingScienceHelp@fema.dhs.gov</a>.</p> <p>FEMA publications that specify the documentation and information necessary for FEMA to review project applications for feasibility and effectiveness, cost-effectiveness, and potential impacts on</p>

environmental and cultural resources are available on the FEMA website at <https://www.fema.gov/grants/guidance-tools>.

**b. FEMA Grants News**

This channel provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. FEMA Grants News Team is reachable at [fema-grants-news@fema.dhs.gov](mailto:fema-grants-news@fema.dhs.gov) OR (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET.

**c. Grant Programs Directorate (GPD) Award Administration Division**

GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. AAD can be contacted at [ASK-GMD@fema.dhs.gov](mailto:ASK-GMD@fema.dhs.gov).

**d. FEMA Regional Offices**

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

**e. Civil Rights**

Consistent with Executive Order 14173, Ending Illegal Discrimination & Restoring Merit-Based Opportunity, the FEMA Integration and Coordination Division is responsible for ensuring compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA. They are reachable at [FEMA-CivilRightsOffice@fema.dhs.gov](mailto:FEMA-CivilRightsOffice@fema.dhs.gov).

**f. Environmental Planning and Historic Preservation**

The FEMA Office of Environmental Planning and Historic Preservation (OEHP) provides guidance and information about the EHP review process to FEMA programs and recipients and subrecipients. Send any inquiries regarding compliance for FEMA grant projects under this NOFO to [FEMA-OEHP-NOFOQuestions@fema.dhs.gov](mailto:FEMA-OEHP-NOFOQuestions@fema.dhs.gov).

**g. Payment and Reporting System**

FEMA uses FEMA Grants Outcomes (FEMA GO) for financial reporting, invoicing, and tracking payments. The Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment is used for recipients. For any questions about the system, contact the FEMA GO Helpdesk at [femago@fema.dhs.gov](mailto:femago@fema.dhs.gov) or (877) 585-3242, Monday through Friday, 9:00 AM – 6:00 PM ET.

	<p><b>h. FEMA GO</b></p> <p>For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at <a href="mailto:femago@fema.dhs.gov">femago@fema.dhs.gov</a> or (877) 585-3242, Monday through Friday, 9:00 AM – 6:00 PM ET.</p> <p><b>i. FEMA Preparedness Toolkit</b></p> <p>The <a href="#">FEMA Preparedness Toolkit</a> (PrepToolkit) provides access to tools and resources needed to implement the National Preparedness System and provides a collaborative space for communities completing the Unified Reporting Tool (URT). Recipients complete and submit their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR), and other required assessments using the PrepToolkit. For assistance, contact <a href="mailto:support@preptoolkit.fema.dhs.gov">support@preptoolkit.fema.dhs.gov</a>.</p>
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**2. Eligibility**

<p><b>A. Eligible Entities/Entity Types</b></p>	<p>Only the following entities or entity types are eligible to apply.</p> <p><b>a. Applicants</b></p> <ul style="list-style-type: none"> <li>• States</li> <li>• District of Columbia</li> <li>• U.S. Territories</li> <li>• Federally recognized Tribal Nations</li> </ul> <p>Each state, territory, the District of Columbia, and federally recognized Tribal nations shall designate an agency of their choice to serve as the applicant for BRIC funding. The designee is strongly encouraged to conduct outreach prior to and during the application process with communities vulnerable to natural hazard risks, including federally recognized Tribal nations, tribal entities, and small impoverished communities. Each applicant’s designated agency may submit only one BRIC grant application to FEMA.</p> <p><b>b. Subapplicants</b></p> <p>Subapplicants and subawards are allowed.</p> <ul style="list-style-type: none"> <li>• Communities</li> <li>• Local governments</li> <li>• Cities</li> <li>• Townships</li> <li>• Counties</li> <li>• Special district governments</li> <li>• Tribal Nations (including federally recognized Tribal Nations who choose to apply as subapplicants). Federally recognized Tribal Nations who wish to apply as subapplicants rather than</li> </ul>
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	<p>as applicants directly to FEMA, must submit to their applicant agency.</p> <p>Subapplications under which two or more entities would carry out the award are eligible, such as a multi-state or multi-tribal initiative; however, only one entity may be the subapplicant with primary responsibility for carrying out the subaward.</p> <p>Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statues, polices, and procedures including “staff American, stay in America” and security requirements.</p>
<p><b>B. Project Type Eligibility</b></p>	<p><b>a. Allowable Project Types</b></p> <p>For the purposes of this NOFO, “infrastructure” means critical physical structures, facilities, and systems that provide support to a community, its population, and its economy. This includes natural systems.</p> <p>“Directly supporting infrastructure” means activities that have a clear, immediate, and primary purpose of improving, protecting, or enabling the construction, resilience, or operation of critical infrastructure systems (such as transportation, utilities, water, wastewater, communications, public buildings, or other critical facilities).</p> <ul style="list-style-type: none"> <li>• Capability- and Capacity-Building Activities – activities that directly support infrastructure resilience, such as the adoption, enforcement, and implementation of hazard-resistant building codes. Only capability and capacity-building activities that are directly tied to infrastructure projects such as building code adoption/enforcement, related technical training and project scoping activities for specific infrastructure are eligible. Hazard Mitigation Plan development or updates, and project scoping activities not directly supporting a specific infrastructure project are not eligible under BRIC.</li> <li>• Hazard Mitigation Projects – cost-effective infrastructure and construction projects designed to increase resilience and public safety; reduce injuries and loss of life; and reduce damage and destruction to property, critical services, facilities, and infrastructure (including natural systems) from a multitude of natural hazards, including drought, wildfire, earthquakes, and the effects of natural weather disasters. Only infrastructure and construction projects that have, at a minimum, a conceptual design are eligible; phased projects are not eligible.</li> <li>• Management Costs – financial assistance to reimburse the recipient and subrecipient for eligible and reasonable indirect</li> </ul>

	costs, direct administrative costs, and other administrative expenses associated with a specific hazard mitigation measure or project subject to applicable cost share requirements.
<b>C. Requirements for Personnel, Partners, and Other Parties</b>	<p>Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statutes, policies, and procedures including “staff American, stay in America” and security requirements.</p> <p>Subapplicants/subrecipients must submit short bios and resumes. This should include the type of entity, organizational leadership, and board members along with both the names and addresses of the individuals. Resumes are subject to approval.</p>
<b>D. Maximum Number of Applications</b>	Not applicable
<b>E. Additional Restrictions</b>	<p>Applicants/subapplicants or recipients/subrecipients are required to certify their compliance with federal statutes, DHS directives, policies, and procedures.</p> <p>All activities under BRIC must be in conformance with all criteria established by FEMA that are specific to the proposed activity, found in the <a href="#">HMA Guide</a>.</p> <p>All activities under BRIC must be in conformance with all applicable federal, state, tribal, local floodplain and land use laws, as well as aligned with the current administration and program priorities and policy factors.</p>
<b>F. References for Eligibility Factors within the NOFO</b>	<p>Please see the following references provided below:</p> <ol style="list-style-type: none"> <li>1. “Application Review Information” subsection</li> <li>2. “Financial Integrity Criteria” subsection</li> <li>3. “Supplemental Financial Integrity Criteria and Review” subsection</li> <li>4. FEMA may/will request financial information such as Employer Identification Number (EIN) and bank information as part of the potential award selection. This will apply to everyone prospered, including subrecipients.</li> </ol>
<b>G. Cost Sharing Requirement</b>	<ul style="list-style-type: none"> <li>• 75% federal and 25% non-federal.</li> <li>• 90% federal and 10% non-federal for small impoverished communities.</li> <li>• 100% federal and 0% for insular areas when the non-federal cost share for the entire award is under \$200,000.</li> </ul>

<p><b>H. Cost Share</b> Description, Type and Restrictions</p>	<p>Cost share is required for all subapplications funded under this program. Generally, the cost share for this program is 75% federal / 25% non-federal.</p> <p>The non-federal cost share may consist of cash, donated or third-party in-kind services, materials, or any combination thereof. Cash and third-party in-kind matches must consist of eligible costs (i.e., same eligibility as the federal share). Applicants cannot apply other federal award funds toward the BRIC non-federal cost share unless the other federal statutory authority allows the funds to be used to meet cost share requirements. Refer to the <a href="#">HMA Cost Share Guide</a> for more information. FEMA encourages innovative use of public and private-sector partnerships to meet the non-federal cost share.</p> <p>BRIC funding cannot be used as matching funds for another federal award. Additionally, third-party in-kind matches used to meet the matching requirement may not be used to meet matching requirements for any other federal program.</p> <p><b>Small Impoverished Communities</b> Small impoverished communities as defined at <a href="#">42 U.S.C. § 5133(a)</a> meeting the following criteria are eligible for an increase in cost share up to 90% federal / 10% non-federal:</p> <ul style="list-style-type: none"> <li>• of 3,000 or fewer individuals identified by the applicant</li> <li>• that is economically disadvantaged, with residents having an average per capita annual income not exceeding 80% of the national per capita income, based on the best available data.</li> </ul> <p>The following entities, having met all other eligibility requirements as detailed in “Participant Eligibility” subsection of this funding opportunity, may work in collaboration with a small impoverished community to build, and submit a subapplication on their behalf: (1) applicants; or (2) local government subapplicants, including a school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under state law), regional or interstate government entity, or agency or instrumentality of a local government. An applicant or subapplicant applying on behalf of a small impoverished community must include as part of the subapplication a letter authorizing the submission. There is no required format for the authorizing letter, but it should contain the following information:</p> <ul style="list-style-type: none"> <li>• Point of contact information, including a name, community, address, phone number, and email for the small impoverished community and the applicant or subapplicant applying on their behalf.</li> <li>• A signature from an authorized representative of the small impoverished community.</li> </ul>
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	<p>An applicant or subapplicant applying on behalf of a small impoverished community will be eligible to receive up to a 90% federal cost share and is eligible for points in Evaluation Criteria for National Competition.</p> <p>Applicants and subapplicants who apply as a small impoverished community, or applicants and subapplicants who apply on behalf of one, must request the increased federal cost share amount in the Cost Share section of their subapplication(s). Applicants must ensure the “Community” and “Location” sections correctly identify the small impoverished community. Applicants must certify subapplicants’ small impoverished community status and provide documentation with the subapplication(s) to justify the increased federal cost share. If documentation is not submitted with the subapplication, then FEMA will provide no more than 75% federal cost share of the total eligible costs.</p> <p>Federally recognized Tribal Nations meeting the definition of a small impoverished community that apply to FEMA directly as applicants are eligible for a 90% federal cost share for their subapplications, which make up their overall BRIC grant application.</p> <p><b>Insular Areas</b> For insular areas, including American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands, FEMA automatically waives the non-federal cost share for the recipient when the non-federal cost share for the entire award is under \$200,000. If the non-federal cost share for the entire award is \$200,000 or greater, FEMA may waive all or part of the non-federal cost share at the request of the recipient. The recipient may request the waiver in its application.</p>
<p><b>I. Cost Sharing Calculation Example</b></p>	<p>If the total cost of the activity is \$400,000 and the non-federal cost share is 25%, then the non-federal contribution is \$100,000 (25% of \$400,000 is \$100,000). This amount would be provided by the applicant. Likewise, the federal share of that activity would be \$300,000 (75% of \$400,000 is \$300,000). This amount would be provided by FEMA.</p>
<p><b>J. Required information for verifying Cost Share</b></p>	<p>Ultimately, the recipient is responsible for ensuring that it contributes the proper cost share to its actual project costs. If actual total project costs exceed the projected total project costs stated in the federal award, the recipient will not receive any additional federal funding and will be responsible for contributing additional funds above the required cost match. If actual total project costs are less than the projected total project costs stated in the federal award, the recipient will be responsible for contributing a cost match calculated as a</p>

	percentage of those actual project costs. For more information and examples on cost share see the <a href="#">HMA Cost Share Guide</a> .
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### **3. Program Description**

#### **A. Background, Program Purpose, and Program History**

Section 203(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended ([42 U.S.C. § 5133\(b\)](#)), authorizes FEMA to “provide technical and financial assistance to States and local governments to assist in the implementation of predisaster hazard mitigation measures that are cost-effective and are designed to reduce injuries, loss of life, and damage and destruction of property, including damage to critical services and facilities under the jurisdiction of the States or local governments.”

The Building Resilient Infrastructure and Communities (BRIC) grant program makes federal funds available to states, U.S. territories, federally recognized Tribal nations<sup>1</sup>, and local governments for hazard mitigation activities. It does so by recognizing the need to upgrade and modernize the nation’s infrastructure against the growing risks to communities and the need for natural hazard risk mitigation activities that promote resilience with respect to natural hazards.

Certain awards made under this funding opportunity may be funded, in whole or in part, by the [Infrastructure Investment and Jobs Act \(IIJA\)](#). The IIJA appropriates billions of dollars to FEMA to promote resilient infrastructure, respond to the impacts of natural weather disasters, and equip our nation with the resources to combat its most pressing natural hazard threats.

#### **B. Goals and Objectives**

BRIC aims to shift the focus of federal investments away from reactive post-disaster spending towards proactive infrastructure-focused hazard mitigation. For this funding opportunity, the program prioritizes investment in infrastructure and construction projects that deliver immediate, measurable risk reduction to communities vulnerable to natural hazards. BRIC emphasizes the adoption and enforcement of modern building codes and limits capability- and capacity-building activities to those directly tied to infrastructure resilience, such as building code adoption and enforcement.

By prioritizing investment in construction projects that are ready to implement and increasing geographic distribution of hazard mitigation investments, BRIC aims to accelerate and improve nationwide project delivery. For this funding opportunity, the program caps single project and per applicant funding amounts to distribute investments and prioritizes selection of new applicants and subapplicants as well as small impoverished communities in the National Competition.

BRIC maximizes state and local responsibility for resilience by focusing federal resources on projects that directly support infrastructure and risk reduction rather than investing in a wide range of activities.

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<sup>1</sup> The term “federally recognized tribal nations,” as used in this funding opportunity, has the same meaning as “Indian tribal government,” as defined at [42 U.S.C. § 5122\(6\)](#).

These critical investments aim to reduce future disaster losses, loss of life, property, and future spending from the Disaster Relief Fund (DRF). BRIC focuses on cost-effective hazard mitigation measures focused on protecting public infrastructure so that critical services can withstand or more rapidly recover from future disasters. The program is designed to deliver expeditious, measurable risk reduction and to ensure that investments address the nation's most pressing hazard mitigation needs.

### C. Program Rationale

The BRIC program prioritizes investments in infrastructure and construction projects that deliver immediate, measurable risk reduction to public infrastructure and communities vulnerable to natural hazards. The program's primary focus is on supporting projects ready for implementation and incentivizing the adoption and enforcement of the latest published editions of hazard-resistant building codes.

FEMA recognizes that the adoption and enforcement of modern building codes, specifications, and standards provide significant resilience benefits. Accordingly, BRIC dedicates additional funds through State/Territory and Tribal Building Code Plus-Up allocations to carry out eligible building code adoption and enforcement activities.

### D. Federal Assistance Type Grant

### E. Performance Measures and Targets

The BRIC program supports risk reduction of natural hazard risk. The following key performance indicators provide strategic and relevant information to decision makers and stakeholders about BRIC's progress and success toward achieving its goals and objectives, and are based on metrics that are available or could be feasibly collected:

- Total number and population size of communities supported since inception
- Dollar amount of total expected benefits and average benefit-cost ratio for the program
- Number of state, local, tribal, and territorial (SLTT) governments that adopted hazard-resistant building codes after receiving BRIC grants for building code activities

These performance measures evaluate the program as a whole. FEMA notes that these key performance indicators are not determinative of whether an application to the BRIC program is selected for funding.

### F. Program-Specific Unallowable Costs

All costs charged to federal awards (including both federal funding and any non-federal matching or cost sharing funds) must comply with applicable statutes, rules and regulations, and policies, this NOFO, and the terms and conditions of the federal award. They must also comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at [2 C.F.R. Part 200](#) unless otherwise indicated in the NOFO or the terms and conditions of the federal award. This includes, among other requirements, that costs must be incurred and products and services must be delivered within the budget period. [2 C.F.R. § 200.403\(h\)](#) (referring to budget periods, which for FEMA awards is the same as the period of performance). The

following identifies a list of activities for which a recipient may not use federal funds and any cost sharing or matching funds under federal awards:

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

#### **G. General Funding Requirements**

Costs charged to federal awards (including federal and non-federal cost share funds) must comply with applicable statutes, rules and regulations, policies, this NOFO, and the terms and conditions of the federal award. This includes, among other requirements, that costs must be incurred, and products and services must be delivered within the budget period. [2 C.F.R. § 200.403\(h\)](#).

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

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

#### **H. Indirect Costs (Facilities and Administrative Costs)**

Indirect costs (IDC) are allowed for costs incurred for a common or joint purpose benefiting more than one cost objective and not readily assignable to specific cost objectives without disproportionate effort. Applicants with a current negotiated IDC rate agreement who desire to charge indirect costs to a federal award must provide a copy of their IDC rate agreement with their applications. Not all applicants are required to have a current negotiated IDC rate agreement. Applicants that are not required to have a negotiated IDC rate agreement, but are required to develop an IDC rate proposal, must provide a copy of their proposal with their applications. Applicants without a current negotiated IDC rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to FEMA for further instructions. Applicants who wish to use a cost allocation plan in lieu of an IDC rate proposal must reach out to FEMA for further instructions. As it relates to the IDC for subrecipients, a recipient must follow the requirements of [2 C.F.R. §§ 200.332](#) and [200.414](#) in approving the IDC rate for subawards.

#### **I. Management Costs**

In addition to funding received as described in “Expected Total Funding” subsection, subapplicants may apply for up to 5% of the total budget of the eligible capability- and capacity-building activity (if directly tied to infrastructure) or hazard mitigation project for subrecipient management costs. The total budget refers to the sum of non-federal and federal shares of the proposed activity. Subrecipients must use subaward management costs to manage their subaward

activities. Subapplicant management cost activities must be added to the Scope of Work section and identified as a line item in the Cost Estimate section of subapplications in FEMA GO.

Applicants may apply for up to 10% of the application budget inclusive of subapplicant management costs for applicants to administer and manage award and subaward activities. Applicant requests for management costs must be submitted in a separate management costs subapplication in FEMA GO (see [“Program-Specific Required Documents and Information” subsection](#)). FEMA will adjust management cost awards to ensure that the amount available for management costs does not exceed the permitted percentage. If the grant award amount is adjusted for any reason, FEMA will de-obligate any management costs that exceed the allowed amounts.

The federal cost share for states, territories, and Tribal Nations, for Recipient Management Costs is set at 100% of the total award amount.

The subapplicant’s applied for management costs (up to 5%) must be added to the total subapplication budget prior to the calculation of the applicant management costs (up to 10%). If the applicant is applying to also implement the award as the subrecipient, the applicant is allowed to apply for subrecipient (up to 5%) and recipient management costs (up to 10%). Uses of the applied for recipient management costs must be distinct from subrecipient management costs and must adhere to the stated uses, even if being used by the same entity. The total management costs still may not exceed 15% of the total award. FEMA will adjust management cost awards to ensure that the amount available for management costs does not exceed the permitted percentage. If the total grant award amount is adjusted for any reason, FEMA will de-obligate any management costs that exceed the allowed amounts.

Management costs are governed by section 324 of the Stafford Act ([42 U.S.C. § 5165b](#)). Management costs are any indirect costs, any direct administrative costs, and other administrative expenses that are reasonably incurred in administering an award or subaward. Eligible applicant or subapplicant management cost activities may include:

- Solicitation, review, and processing of subapplications and subawards
- Subapplication development and technical assistance to subapplicants regarding feasibility and effectiveness and BCA
- Delivery of technical assistance (e.g., training) to support the implementation of hazard mitigation activities
- Managing awards (e.g., quarterly reporting including managing Go/No-Go milestones for hazard mitigation projects submitted under the National Competition, closeout)
- Technical monitoring (e.g., site visits, technical meetings)
- Purchase of equipment, per diem and travel expenses, and professional development that is directly related to the implementation of HMA programs
- Staff salary costs directly related to performing the activities listed above

Management costs may only be used to support the administration and management of eligible subawards. Activities funded as direct subawards (such as project scoping for infrastructure or

building code adoption/enforcement under capability and capacity building) may not also be funded through management costs.

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

#### **J. Pre-Award Costs**

Pre-award costs are directly related to developing the BRIC grant application or subapplication that are incurred prior to the date of the grant award are allowed subject to FEMA approval at time of award. Approval of pre-award costs is not guaranteed. Such costs may have been incurred prior to application submission, for example gathering data to be used for preparing environmental reviews required by National Environmental Policy Act (NEPA), developing a BCA (see “Benefit-Cost Analysis [BCA] for Hazard Mitigation Projects” subsection), or preparing design specifications. To be eligible for BRIC funding, pre-award costs must be identified in an individual line item in the cost estimate of the subapplication.

Pre-award costs may be cost shared or applicants and subapplicants may identify them as their non-federal cost share (see “Cost Share Description, Type and Restrictions” subsection).

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

Applicants and subapplicants who are not selected for awards or subawards will not receive reimbursement for the corresponding pre-award costs.

#### **K. Beneficiary Eligibility**

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

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

#### **L. Participant Eligibility**

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

##### **1. Applicant Eligibility Criteria**

- States and territories that had a major disaster declaration under the [Robert T. Stafford Disaster Relief and Emergency Assistance Act](#) in the seven years prior to the annual application period start date are eligible to apply to FEMA for federal assistance under BRIC. As a result of numerous major disaster declarations, all states, territories, and the District of Columbia are eligible to apply to this funding opportunity.

- Federally recognized tribal nations that had a major disaster declaration under the Stafford Act in the seven years prior to the annual application period start date or are entirely or partially located in a state or territory that had a major disaster declaration in the seven years prior to the annual application period start date are eligible to apply to FEMA for federal assistance under BRIC as applicants or subapplicants to eligible states and territories. As a result of numerous major disaster declarations, all federally recognized tribal nations are eligible to apply to this funding opportunity.
  - Applicants are required to have a FEMA-approved State or Tribal Hazard Mitigation Plan in accordance with [44 C.F.R. Part 201](#) by the application deadline and at the time of obligation of the award.
  - To be considered for financial assistance, all applicants must submit their BRIC grant applications for this funding opportunity to FEMA via FEMA GO (see “Submission Requirements and Deadlines” subsection).
2. Subrecipient Eligibility
- Local governments as defined in [42 U.S.C § 5122\(8\)](#), are eligible to apply to eligible states and territories for federal assistance under BRIC as subapplicants.
  - Subapplicants are required to have a FEMA approved Local or Tribal Hazard Mitigation Plan in accordance with [44 C.F.R. Part 201](#) by the application deadline and at the time of obligation of grant funds for hazard mitigation projects. Multi-jurisdictional plans (e.g., watershed plans) may be accepted, as appropriate, as long as each jurisdiction has participated in the process and has officially adopted the plan. State-wide plans will not be accepted as multi-jurisdictional plans.
  - Regional planning districts (e.g., planning commissions or councils, councils of government, area development districts, or equivalent planning entities) without approved mitigation plans may serve as the subapplicant on behalf of a local government or tribal nation within their service area if the local government or tribal nation proposing the mitigation project where the activity is located has a current FEMA approved Local or Tribal Mitigation Plan and the proposed activity is consistent with that plan.
  - Subapplicants, including federally recognized tribal nations submitting as subapplicants to a state or territory, are exempt from the hazard mitigation plan requirement for the capability- and capacity-building activity types.
  - Hazard mitigation plan integration, while not required to be eligible for BRIC, is encouraged. See “Integrating Hazard Mitigation and Planning” subsection for additional information.
3. Other Eligibility Criteria/Restrictions
- a. Environmentally Friendly Measures
- All activities under BRIC must be in conformance with all applicable environmental planning and historic preservation (EHP) laws, regulations, executive orders, and agency policies as defined in the [HMA Guide, Part 4, H. Environmental and Historic Preservation Requirements](#).
- b. Future Conditions
- Considering future conditions in mitigation projects is essential for ensuring their effectiveness. By accounting for future conditions factors such as changing weather patterns, and changes in a community’s risk profile like anticipated population growth, increased infrastructure demands, and evolving land use,

infrastructure projects should be designed to address not only current risks but also emerging threats over the lifespan of the infrastructure. This proactive approach enhances the resilience of communities and infrastructure, reducing the long-term impacts of natural disasters. Projects that incorporate future conditions are better positioned to minimize loss of life, property damage, and economic disruption, ultimately supporting stronger infrastructure and safer communities over time.

- Applicants should utilize appropriate data to ensure investments in infrastructure will withstand natural hazards over the useful life of the asset. Data and planning assumptions should consider both current and future conditions; ensure responsible floodplain and wetland management based on the history of flood hazard mitigation efforts and the frequency, duration, and intensity of precipitation events; and account for exposure and sensitivity to natural hazards such as flood, drought, and wildfire.

c. Specific Community Identification

Subapplicants should include location data in the “Community” and “Location” sections of the FEMA GO subapplication; this will be used to verify if a subapplicant qualifies as a small impoverished community:

- In the “Community” section of FEMA GO, subapplicants should list the communities that will benefit from the hazard mitigation activity by clicking on the find community button to find the name and CID number in the Community Information System (CIS) database. If the community cannot be found in the database, include information in the comments (such as the full name and Census incorporated place GEOID) and inform your state NFIP coordinator so the database can be updated.
- In the “Project site inventory” section of FEMA GO, subapplicants should list all locations of mitigated properties/structures including address and/or latitude and longitude coordinates in the “project site inventory” section on FEMA GO.
- Small impoverished communities are defined at [42 U.S.C. § 5133\(a\)](#) and [44 C.F.R. Part 59](#). See “Cost Share Description, Type and Restrictions” subsection in this funding opportunity for more detail on requirements to qualify for this designation for cost share, and “Evaluation Criteria for National Competition” subsection of this funding opportunity for more information about evaluation criteria.
- Subapplicants may include narrative descriptions of population benefiting to supplement the data and shapefile provided, particularly in rural areas with limited population data or for projects benefiting geographically dispersed populations.
- FEMA uses the subapplicant jurisdiction or jurisdictions listed in the Communities section of FEMA GO and validate the locations listed in the “Project site inventory” to determine small impoverished communities for eligible cost share.

d. Additional Criteria

- Hazard mitigation projects must be consistent with the applicant’s State or Tribal Hazard Mitigation Plan and the subapplicant’s Local or Tribal Hazard Mitigation Plan approved under [44 C.F.R. Part 201](#). Applicants must identify in the BRIC

application where the need for the proposed project types are specifically referenced or included in the State or Tribal Hazard Mitigation Plan (page number, section title, etc.).

- Hazard mitigation projects must be cost-effective and designed to increase resilience and reduce risk of injuries, loss of life, and damage and destruction of property, including critical services and facilities as defined in the [HMA Guide, Part 5. Cost-Effectiveness](#).
- Hazard mitigation projects must, at a minimum, be in conformance with the two latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs. If the hazard mitigation project is located in a Special Flood Hazard Area, it must meet all of the following conditions:
  - The project is in a jurisdiction participating in the [National Flood Insurance Program](#) that is not on probation, suspended, or withdrawn.
  - The property owner obtains and maintains flood insurance for the life of the structure, regardless of transfer of ownership, in an amount at least equal to the project cost or to the maximum limit of coverage made available with respect to the mitigated property, whichever is less.
- Earthquake early warning systems are eligible as stand-alone projects.
- Construction activities for which ground disturbance has already been initiated or completed are not eligible for funding. Non-construction activities that have already started may not be considered for funding.
- When subapplications include an information technology or operational technology component as part of a larger project, FEMA will allow activities that enable greater community resilience through cybersecurity as eligible costs when those activities are performed in accordance with the cybersecurity performance goals for critical infrastructure and control systems directed by the [National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems \(NSM-5\)](#). Subapplicants should address cybersecurity in their planning, design, and project oversight for awards that include a technology nexus that may pose a cyber risk that would affect the reliability or operability of the project.

#### **M. Authorizing Authority**

Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended (Pub. L. No. 93-288) (42 U.S.C. §§ 5133).

#### **N. Appropriation Authority**

Section 203(i) of the Stafford Act, as amended (Pub. L. No. 93-288) (42 U.S.C. § 5133(i)) and Infrastructure Investment and Jobs Act (Pub. L. No. 117-58) (2021).

#### **O. Budget Period**

FEMA awards under the BRIC program only include one budget period; it will be the same as the period of performance. *See* [2 C.F.R. § 200.1](#) for definitions of “budget period” and “period of performance.”

#### **P. Prohibition on Covered Equipment or Services**

Recipients, subrecipients, and their contractors or subcontractors must comply with the prohibitions set forth in Section 889 of the [John S. McCain National Defense Authorization Act for Fiscal Year 2019, which restrict the purchase of covered telecommunications and surveillance equipment and services](#). Please see 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200, and [FEMA Policy #405-143-1 - Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services](#) for more information.

#### **4. Application Contents and Format**

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

Subapplicants should contact their applicant agency for information specific to their state/territory/tribe's application process. Contact information is available on the [State Hazard Mitigation Officers webpage](#).

##### **B. Application Content and Format**

Applicants may require their subapplicants to complete the grant application and/or Assurances and Certifications forms to their capability- and capacity-building activity and hazard mitigation project subapplications generated in the FEMA GO system.

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

##### **C. Application Components**

The following forms or information are required to be submitted via FEMA GO. They are automatically generated in FEMA GO; no additional attachment is needed. The Standard Forms (SF) are also available at [Forms | Grants.gov](#)

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

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

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

###### **1. Management Costs**

Applicant requests for management costs must be submitted in a separate management costs subapplication in FEMA GO.

Applicants may apply for up to 10% of the application budget inclusive of subapplicant management costs for applicants to administer and manage award and subaward activities. The applied for subrecipient management costs (up to 5%) must be added to the total subapplication budget prior to the calculation of the applicant management costs (up to 10%).

Subapplicants may apply for up to 5% of the total budget of the capability- and capacity-building activity or hazard mitigation project for subrecipient management costs. Subrecipient management cost activities must be submitted as their own budget in the subapplication. The total budget refers to the sum of non-federal and federal shares of the proposed capability- and capacity-building activity or hazard mitigation project. Subrecipient must use subrecipient management costs to manage their subaward activities.

FEMA will adjust management cost awards to ensure that the amount available for management costs does not exceed the permitted percentage. If the total grant award amount is adjusted for any reason, FEMA will de-obligate any management costs that exceed the allowed amounts.

#### Federal Cost Share for Management Costs:

- For states and territories, the federal cost share for Recipient Management Costs is set at 100% of the total award amount.
- For Tribal Nations, the federal cost share for Recipient Management Costs remains 100% of the total award amount.

#### 2. Benefit-Cost Analysis (BCA) for Hazard Mitigation Projects

Applicants and subapplicants applying for hazard mitigation projects are required to use FEMA-approved methodologies and tools, such as the [BCA Toolkit](#), to demonstrate the cost-effectiveness of their projects. Further details on hazard mitigation project cost-effectiveness can be found in the [HMA Guide, Part 5. Cost-Effectiveness](#) or on the [Benefit-Cost Analysis webpage](#).

#### 3. Go/No-Go Milestones

The subapplicant, in coordination with the applicant, must identify at least one or more Go/No-Go milestones in the work schedule for hazard mitigation projects submitted to the National Competition that FEMA will review and approve. Hazard mitigation projects submitted under the State/Territory Allocation or Tribal Set-Aside do not require Go/No-Go milestones. A Go/No-Go milestone is a major milestone in the project that if not completed on time may result in a cancellation of the subaward. Progress towards meeting the Go/No-Go milestones must be reported in the quarterly progress reports submitted to the recipient and FEMA. At these Go/No-Go milestones, FEMA will evaluate project performance, schedule adherence, and contribution to FEMA's program goals and objectives.

#### 4. National Environmental Policy Act Requirements for Hazard Mitigation Projects

Applicants and subapplicants applying for hazard mitigation projects must provide information needed to comply with the [National Environmental Policy Act \(NEPA\)](#) (42 U.S.C. §§ 4321–4370h) and the related Department of Homeland Security and FEMA instructions and directives: [DHS Directive 023-01](#), [DHS Instruction Manual 023-01-001-01](#), [FEMA Directive 108-1](#), and [FEMA Instruction 108-1-1](#). The required information is included in the subapplication in FEMA GO. Environmental Historic Preservation Job Aids and Supplements are available on the [Hazard Mitigation Assistance Job Aids](#) and [Environmental & Historic Preservation Guidance for FEMA](#)

[Grant Applications](#) webpages. The required information is included in the subapplication in FEMA GO.

#### 5. Acquisition Project Requirements

The subrecipient must provide FEMA with a signed copy of the [Statement of Voluntary Participation](#) for each property post-award. The [Statement of Voluntary Participation](#) formally documents the Notice of Voluntary Interest and information related to the purchase offer.

In undertaking a larger-scale migration or relocation effort that is intended to move structures out of high-risk areas, the subapplicant should consider how it can protect and sustain the impacted community and its assets. Accordingly, subapplicants must demonstrate to FEMA how they will resettle such areas in a way that mitigates future risk from natural hazards and increasing insurance costs through mechanisms such as: new land use development plans; building codes or construction requirements; protective infrastructure development; or restrictions on future disaster assistance to such properties.

Subrecipients must apply deed-restriction language to all acquired properties to ensure that the property is maintained in perpetuity as open space consistent with the conservation of natural floodplain functions, as agreed to by their accepting FEMA hazard mitigation award funding. Deed-restriction language is applied to acquired properties by recording the open space and deed restrictions per the [FEMA Model Deed Restriction](#). Subrecipients, as well as recipients and FEMA, are responsible for enforcing open space restrictions pursuant to [44 C.F.R. Part 80](#) requirements.

#### 6. Intergovernmental Review

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

### **5. Submission Requirements and Deadlines**

#### A. Address to Request Application Package

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

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

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

- a. Apply for, update, or verify their Unique Entity Identifier (UEI) number and Employer Identification Number (EIN) from the Internal Revenue Service;
- b. In the application, provide an UEI number;
- c. Have an account with [login.gov](#);
- d. Register for, update, or verify their SAM account and ensure the account is active before submitting the application;
- e. Register in FEMA GO, add the organization to the system, and establish the Authorized Organizational Representative (AOR). The organization's electronic business point of contact (eBiz POC) from the SAM registration may need to be involved in this step. For

step-by-step instructions, see <https://www.fema.gov/media-library/assets/documents/181607>;

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

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

How to Register to Apply:

General Instructions:

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

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

Organizations must have a Unique Entity Identifier (UEI) number, Employer Identification Number (EIN), and an active System for Award Management (SAM) registration.

Obtain a UEI Number:

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

Obtain Employer Identification Number:

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

Create a login.gov account:

Applicants must have a login.gov account in order to register with SAM or update their SAM registration. Applicants can create a login.gov account at:

[https://secure.login.gov/sign\\_up/enter\\_email?request\\_id=34f19fa8-14a2-438c-8323-a62b99571fd](https://secure.login.gov/sign_up/enter_email?request_id=34f19fa8-14a2-438c-8323-a62b99571fd).

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

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

Register with SAM:

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

For more detailed instructions for registering with SAM, refer to

<https://apply07.grants.gov/help/html/help/Register/RegisterWithSAM.htm>.

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

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

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

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

Google Chrome;

Mozilla Firefox;

Apple Safari; and

Microsoft Edge.

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

Submitting the Final Application:

Applicants will be prompted to submit the standard application information and any program-specific information required. Standard Forms (SF) may be accessed in the Forms tab under the [SF-424 family on Grants.gov](#). Applicants should review these forms before applying to ensure they are providing all required information.

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

**B. Application Deadline**

07/23/26 03:00:00 PM Eastern Time

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

FEMA’s Grants Outcomes System (FEMA GO) automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the Authorized Organization Representative role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission.

**FEMA will not consider or review applications that are received after the deadline.**

**C. Pre-Application Requirements Deadline**

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

**D. Post-Application Requirements Deadline**

Not applicable

**E. Effects of Missing the Deadline**

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

**Applicants experiencing technical problems outside of their control must notify FEMA as soon as possible and before the application deadline and no later than 3:00 PM ET, on Tuesday, July 21, 2026.** No new system-related issues will be addressed after this deadline. Failure to timely notify FEMA of the issue that prevented the timely filing of the application may preclude consideration of the award. “Timely notification” of FEMA means the following: prior

to the application deadline and within 48 hours after the applicant became aware of the issue. FEMA may extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline.

**6. Intergovernmental Review**

**A. Requirement Description and State Single Point of Contact**

An intergovernmental review may be required. Applicants must contact their state’s [Single Point of Contact \(SPOC\)](#) to comply with the state’s process under Executive Order 12372.

**7. Application Review Information**

**A. Threshold Criteria**

For all activities/projects under all applications, including for the State/Territory Allocation, Tribal Set-Aside, and National Competition, FEMA will review applications and subapplications submitted by each applicant to ensure:

- Eligibility of the applicant and subapplicant;
- Eligibility of proposed activities and costs;
- Complete Scope of Work;
- [Cost-effectiveness \(BCA\)](#);
- Technical feasibility of hazard mitigation projects;
- Line-item budget;
- Eligibility and availability of the non-federal cost share;
- Consistency with Administration and Agency priorities; and
- Consistency with approved State Mitigation Plan and Local and/or Tribal Hazard Mitigation Plan for hazard mitigation projects.

Subapplicants are exempt from the hazard mitigation plan requirement for capability- and capacity-building activity types.

**B. Application Criteria**

Subapplications submitted to the National Competition that pass the eligibility and completeness programmatic review will be scored with evaluation criteria. FEMA will review project subapplications valued at two times the amount of available funding.

**1. Evaluation Criteria for the National Competition**

As set forth in the table below, FEMA will score subapplications using evaluation criteria, offering incentives for elements valued by FEMA.

<b>Evaluation Criteria for the National Competition</b>			
	<b>Topic</b>	<b>Criteria</b>	<b>Potential Total Points</b>
1	<b>Infrastructure Project<sup>2</sup> Construction Readiness</b>	Projects demonstrating higher readiness can reduce the risk of extended grant periods, cost overruns, and administrative burden. To	5

<sup>2</sup> Infrastructure is defined as critical physical structures, facilities, and systems that provide support to a community, its population, and economy. This definition includes natural systems.

		<p>increase the timeliness of hazard risk reduction, these criteria assess the extent to which the proposed project is sufficiently developed to proceed to award and start construction without significant delay.</p> <p><u>Conceptual Design (5)</u>: Infrastructure projects with basic conceptualization and design (i.e., at least 30% design) will receive 5 points.</p> <p style="text-align: center;"><b>OR</b></p> <p><u>Preliminary Design (15)</u>: Infrastructure projects with refined and detailed design including major systems, materials, dimensions and draft specifications (i.e., greater than 30% design) will receive 15 points.</p> <p style="text-align: center;"><b>OR</b></p> <p><u>Detailed Design (30)</u>: Infrastructure projects with detailed drawings and specifications for bidding, permitting and actual construction (i.e., 90% design or greater) will receive 30 points. These documents may include completed environmental and historic preservation compliance documentation (e.g. environmental assessment, archeological survey, US Army Corps permit, floodplain development permit, etc.).</p>	<p style="text-align: center;"><b>OR</b></p> <p style="text-align: center;">15</p> <p style="text-align: center;"><b>OR</b></p> <p style="text-align: center;">30</p>
2	<b>New Applicant or Subapplicant</b>	<p>The subapplication is submitted from a subapplicant that has never been selected in the BRIC National Competition.</p> <p style="text-align: center;"><b>OR</b></p> <p>The subapplication is submitted by a subapplicant from a state, territory or tribal applicant that has never been selected in the BRIC National Competition.</p>	<p style="text-align: center;">15</p> <p style="text-align: center;"><b>OR</b></p> <p style="text-align: center;">15</p>
3	<b>Building Code Adoption and Enforcement</b>	<p><b>Subcriteria 3.1:</b></p> <p><u>Building Code Adoption (5)</u>: The subapplication will receive 5 points if the community where the project will be developed has locally adopted current or next most recent hazard-resistant consensus-based model building code such as both the</p>	5

		<p>International Building Code (IBC) and the International Residential Code (IRC) model codes published by the International Code Council (ICC) from 2021 or 2024.</p> <p style="text-align: center;"><b>AND</b></p> <p><u>Locally Adopted Building codes (5):</u> The subapplication will receive an additional 5 points if the locally adopted building codes by the community are based on the applicant’s mandatory state-, tribal-, territory-wide adoption of current or next most recent hazard-resistant consensus-based model building code such as both the International Building Code (IBC) and the International Residential Code (IRC) model codes published by the International Code Council (ICC) from 2021 or 2024.</p> <p style="text-align: center;"><b>AND</b></p> <p><u>Building Code Enforcement (10) –</u> Subapplicant has Building Code Effectiveness Grading Schedule (BCEGS) Rating of 1 to 5.</p> <p style="text-align: center;"><b>OR</b></p> <p><b>Subcriteria 3.2:</b> <u>Alternative Higher Standards (5):</u> Any subapplicant that has not received points under Sub-criterion 3.1 could receive 5 points by providing a narrative demonstrating that they hold higher hazard-resistant standards for the primary hazard they have identified in their subapplication.</p>	<p style="text-align: center;"><b>AND</b></p> <p style="text-align: center;">5</p> <p style="text-align: center;"><b>AND</b></p> <p style="text-align: center;">10</p> <p style="text-align: center;"><b>OR</b></p> <p style="text-align: center;">5</p>
4	<b>Small impoverished community</b>	Designation as a small impoverished community as referenced in 42 U.S.C. § 5133(a).	5
5	<b>Risk Reduction</b>	<p>A narrative in the Scope of Work section of FEMA GO will be scored based on the sufficiency of the responses (20):</p> <ol style="list-style-type: none"> <li>1) Effectively reduce risk: Identify the risk(s) being reduced and state what action will reduce the identified risk.</li> </ol>	20

		<ul style="list-style-type: none"> <li>2) Increase resilience within the community based on their primary natural hazard risk (including the benefits quantified in the BCA): Detail ability to prepare for anticipated hazards, adapt to changing conditions, and withstand and recover rapidly from disruption for the useful life of the infrastructure asset.</li> <li>3) Realize ancillary benefits: Identify benefits other than the project’s primary risk reduction objective.</li> </ul>	
6	<b>Implementation Measures</b>	<p>A narrative in the Scope of Work section of FEMA GO will be scored based on the sufficiency of the responses to the criteria listed below.</p> <ul style="list-style-type: none"> <li>1) Cost management: Describe the processes by which project costs will be managed including any identified challenges or obstacles.</li> <li>2) Schedule management: Provide a description of the project schedule and the measures taken to manage the schedule including any identified challenges.</li> <li>3) Successful implementation, and incorporation of any innovative techniques: Detail pre- and post-implementation monitoring strategies being used and how progress will be measured. Describe innovative techniques implemented.</li> <li>4) Technical and managerial staff, and resources availability: Identify technical and managerial staff and resources used to successfully implement the project.</li> </ul>	10

For more information regarding an applicant’s code adoption status, please visit the [FEMA Building Code Adoption Tracking webpage](#).

For additional information on evaluation criteria contact your [Regional Office](#).

**C. Financial Integrity Criteria**

Before making an award, FEMA is required to review OMB-designated databases for applicants’ eligibility and financial integrity information. This is required by [the Payment Integrity](#)

[Information Act of 2019 \(Pub. L. No. 116-117, § 2 \(2020\)\)](#), [41 U.S.C. § 2313](#), and [the “Do Not Pay Initiative” \(31 U.S.C. 3354\)](#). For more details, please see [2 C.F.R. § 200.206](#).

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

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

#### **D. Supplemental Financial Integrity Criteria and Review**

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

1. FEMA is required by [41 U.S.C. § 2313](#) to review or consider certain information found in SAM.gov. For details, please see [2 C.F.R. § 200.206\(a\)\(2\)](#).
2. An applicant may review and comment on any information in the responsibility/qualification records available in SAM.gov.
3. Before making decisions in the risk review required by [2 C.F.R. § 200.206](#), FEMA will consider any comments by the applicant.

#### **E. Reviewers and Reviewer Selection**

Subapplications are reviewed by appropriate FEMA headquarters and regional office staff. FEMA will perform the evaluation for the National Competition according to the scoring criteria.

#### **F. Merit Review Process**

##### **1. State/Territory Allocation**

Applicants must rank their subapplications based on evaluation criteria established by the applicant. FEMA will select eligible capability- and capacity-building activity and hazard mitigation project subapplications from eligible states, territories, and the District of Columbia in order of the applicant's rank (#1–x) to the lowest ranked subapplication that brings the total federal cost share to no more than \$2,000,000 per applicant. In FEMA GO, applicants will rank all subapplications. Subapplications submitted to the State/Territory Allocation and subapplications submitted to the National Competition should be categorized and ranked separately.

##### **2. Tribal Set-Aside**

Applicants must rank their subapplications based on evaluation criteria established by the applicant. FEMA will select eligible capability- and capacity-building activity and hazard mitigation project subapplications not to exceed a total of \$50 million. In FEMA GO, applicants will rank all subapplications.

In the event that more than \$50 million in subapplications are submitted under the Tribal Set-Aside, the capability- and capacity-building activities and highest-ranked hazard mitigation project subapplications up to \$50 million will be selected. Once the \$50 million is selected, all remaining tribal hazard mitigation project subapplications will be evaluated under the National Competition.

3. State/Territory Building Code Plus-Up

Applicants must rank their subapplications based on evaluation criteria established by the applicant. FEMA will select eligible building code adoption and enforcement activity subapplications from eligible states, territories, and the District of Columbia in order of the applicant's rank (#1-x) to the lowest ranked subapplication that brings the total federal cost share to no more than \$1,000,000 per applicant. Subapplications submitted to the State/Territory Building Code Plus-Up must be categorized and ranked separately from subapplications submitted to the State/Territory Allocation or the National Competition. Building Code Plus-Up subapplications can only be submitted in the Building Code Plus-Up category and cannot be submitted to the National Competition. Specific building code activities that are directly tied to infrastructure may also be submitted under the State/Territory Allocation. Building Code Plus-Up funds may only be applied to eligible building code activities including companion codes (ex. energy codes) and may not be used for other BRIC eligible projects or activities. Funds not allocated to eligible building codes activities will result in loss of funds.

4. Tribal Building Code Plus-Up

Applicants must rank their subapplications based on evaluation criteria established by the applicant. FEMA will select eligible building code adoption and enforcement activity subapplications not to exceed a total of \$25 million. Building Code Plus-Up funds may only be applied to eligible building code activities including companion codes (ex. energy codes) and may not be used for other eligible BRIC projects or activities. Funds not allocated to eligible building codes activities will result in loss of funds.

If the total amount of eligible Tribal Building Code Plus-Up subapplications exceeds \$25 million, FEMA will select subapplications based on the applicants ranking and/or additional evaluation criteria established for this category, until the \$25 million cap is reached. Only eligible building code adoption and enforcement activities will be funded.

5. National Competition

FEMA will perform the evaluation review and scoring. In FEMA GO, applicants will rank all subapplications. A project's cumulative score will determine its priority order among all projects considered in the National Competition.

FEMA may select a subapplication out of priority order (as determined by the total points scored) based on one or more of the following factors: (1) availability of funding; (2) duplication of subapplications; (3) alignment with administration, agency and program priorities, and (4) policy factors to increase geographical distribution; or (5) other pertinent information, including past performance on other FEMA awards or grant balances.

Eligible subapplications that have made it through the selections process but will not be funded due to the limited availability of BRIC funding may be reviewed by other FEMA grant programs for eligibility and alternative funding. FEMA retains discretion to award or not award subapplications that have made it through the selections process based on the current administration, agency and program priorities, and policy factors, including geographical

distribution. Additional information may be requested from the applicant to ensure all applicable programmatic eligibility criteria are met.

#### **G. Final Selection**

After FEMA has completed its review of all subapplications across all activities/projects, it will assign each of them one of the following three statuses:

- **Identified for Further Review (IFFR)** – This means the subapplication is selected and there is available funding under the applicable subtotals. Additional information may be requested from the applicant at this stage that may impact eligibility. Identified for Further Review (IFFR) status does not automatically imply an award will be made. FEMA retains discretion to make an award based on the current administration, agency and program priorities, and policy factors, including geographical distribution.

Applicants with capability- and capacity-building activity and/or hazard mitigation project subapplication(s) that are IFFR and submitted a management costs subapplication in their BRIC grant application (see Section [4.D.1.](#)) are eligible to receive recipient management costs for subapplications that are awarded.

- **Not Selected** – This means the subapplication satisfies the basic eligibility or completeness requirements. This status does not reflect eligibility determinations made if it was subject to the cost-effectiveness and technical feasibility requirements.
- **Does Not Meet HMA Requirements** – This means the subapplication does not satisfy the eligibility or completeness requirements. This status does not reflect eligibility determinations made if it was subject to the cost-effectiveness and technical feasibility requirements.

#### **H. Appeals**

An eligible applicant, subapplicant, recipient, or subrecipient may request an appeal of FEMA’s denial of its application or subapplication for hazard mitigation projects, management costs, and activities for which there is an indication

The appeal must be submitted according to the following procedures:

- The applicant or recipient must submit an appeal in writing to FEMA within 60 days after receipt of a notice of the action that is being appealed. The subapplicant or subrecipient must submit its appeal in writing to the applicant or recipient, after which the applicant or recipient must review and evaluate the subapplicant’s or subrecipient’s appeal before submission to FEMA.
- For denials of applications or subapplications for hazard mitigation projects and activities, the appeal must identify any substantive technical or procedural error committed by FEMA, and FEMA will only consider the information provided in the application or subapplication as supporting documentation.

The applicant, subapplicant, recipient, or subrecipient will be notified in writing of the disposition of the appeal or the need for additional information. All appeal decisions are final.

## **8. Award Notices**

### **A. Notice of Award**

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

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

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

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

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

### **B. Pass-Through Requirements** Not applicable

### **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**

Funds are obligated upon award.

### **E. Notification to Unsuccessful Applicants**

Unsuccessful applicants will be notified through FEMA GO and will be posted on the FEMA website.

## **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. Pursuant to the preliminary injunction order issued on November 21, 2025, in *County of Santa Clara et al. v. Noem, et al.*, No. 25-cv-08330-WHO (N.D. Cal.), this requirement does not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect. If the preliminary injunction is

stayed, vacated, or extinguished, this requirement will immediately become effective. Also, pursuant to the preliminary injunction order issued on November 21, 2025, in *City of Chicago et al. v. Noem, et al.*, No. 25-CV-12765 (N.D. Ill.), this requirement does not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect. If the preliminary injunction is stayed, vacated, or extinguished, this requirement will immediately become effective.

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

#### Subrecipient Monitoring and Management

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

#### **B. DHS Standard Terms and Conditions**

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

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 following exceptions. 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) do not apply to any federal award under this funding opportunity.

Pursuant to the preliminary injunction order issued on November 21, 2025, in *County of Santa Clara et al. v. Noem, et al.*, No. 25-cv-08330-WHO (N.D. Cal.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) Paragraph C.XVII of the DHS Standard Terms and Conditions titled "Anti-Discrimination"; and (2) Paragraph C.XXXI of the DHS Standard Terms and Conditions titled "Presidential Executive Orders". If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII and Paragraph C.XXXI will immediately become effective. As stated above, Paragraph C.XVII(2)(a)(iii) of the DHS

Standard Terms and Conditions will not apply even if the preliminary injunction is stayed, vacated, or extinguished.

Pursuant to the preliminary injunction order issued on November 21, 2025, in *City of Chicago et al. v. Noem, et al.*, No. 25-CV-12765 (N.D. Ill.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) Paragraph C.XVII of the DHS Standard Terms and Conditions titled "Anti-Discrimination"; and (2) Paragraph C.XXXI of the DHS Standard Terms and Conditions titled "Presidential Executive Orders". If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII and Paragraph C.XXXI will immediately become effective. As stated above, Paragraph C.XVII(2)(a)(iii) of the DHS Standard Terms and Conditions will not apply even if the preliminary injunction is stayed, vacated, or extinguished.

Pursuant to the preliminary injunction order issued on October 31, 2025, in *City of Seattle v. Trump, et al.*, No. 2:25-cv-01435-BJR (W.D. Wa.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect: Paragraph C.XVII of the DHS Standard Terms and Conditions titled "Anti-Discrimination". If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII will immediately become effective. As stated above, Paragraph C.XVII(2)(a)(iii) of the DHS Standard Terms and Conditions will not apply even if the preliminary injunction is stayed, vacated, or extinguished.

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](http://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 (FFR) form, also known as Standard Form 425 (SF-425), is available online at: [SF-425 OMB #4040-0014](https://www.omb.eop.govt/sf-425).
2. Recipients must submit the FFR quarterly throughout the period of performance (POP) as detailed below:

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

3. The final FFR is due within 120 calendar days after the end of the POP.

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 Progress Report must be submitted quarterly throughout the POP, including partial calendar quarters, as well as for periods where no grant award activity occurs.
2. A Performance Progress Report must include progress towards go/no-go milestones.
3. The Performance Progress Report must be submitted through FEMA GO using the Quarterly Performance Progress Report.
4. Performance Progress Reports are due within 30 days from the end of the first federal quarter following the initial grant award and thereafter until the grant ends.

#### 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 FFR.
3. The final progress report detailing all accomplishments. The recipient must include with the final progress report an inventory of all construction projects.
4. A qualitative narrative summary of the impact of those accomplishments throughout the period of performance.
5. Other documents required by this NOFO, terms and conditions of the federal award, or other DHS Component guidance.

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 [2 C.F.R. § 200.334](#), this maintenance requirement is three years from the date of the final FFR.

Also, pass-through entities are responsible for closing out those subawards as described in [2 C.F.R. § 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 [2 C.F.R. § 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 C.F.R. § 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. FEMA has up to one year to complete the administrative closeout of the award.

#### Additional Reporting Requirements

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

#### **F. Disclosing Information per [2 C.F.R. § 180.335](#)**

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

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

This requirement is fully described in [2 C.F.R. §180.335](#).

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

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

#### **G. Reporting of Matters Related to Recipient Integrity and Performance**

[Appendix XII to 2 C.F.R. Part 200](#) states the terms and conditions for recipient integrity and performance matters used for this funding opportunity.

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

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

#### **H. Single Audit Report**

A recipient expending \$1,000,000 or more in federal awards (as defined by [2 C.F.R. § 200.1](#)) during its fiscal year must undergo an audit. This may be either a single audit complying with [2 C.F.R. § 200.514](#) or a program-specific audit complying with [2 C.F.R. §§ 200.501](#) and [200.507](#). Audits must follow [2 C.F.R. Part 200, Subpart F, 2 C.F.R. § 200.501](#), and the U.S. Government Accountability Office (GAO) [Generally Accepted Government Auditing Standards](#).

#### **I. Monitoring and Oversight**

Per [2 C.F.R. § 200.337](#), DHS and its authorized representatives have the right of access to any records of the recipient or subrecipient pertinent to a Federal award to perform audits, site visits, and any other official use. The right also includes timely and reasonable access to the recipient's

or subrecipient's personnel for the purpose of interview and discussion related to such documents or the Federal award in general.

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

#### **J. Program Evaluation**

<https://www.congress.gov/115/plaws/publ435/PLAW-115publ435.pdf> Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), [PUBL435.PS](#) urges federal agencies to use program evaluation as a critical tool to learn, improve delivery, and elevate program service and delivery across the program lifecycle. Evaluation means “an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.” Evidence Act, § 101 (codified at 5 U.S.C. § 311). OMB A-11, Section 290 (Evaluation and Evidence-Building Activities) further outlines the standards and practices for evaluation activities. Federal agencies are required to specify any requirements for recipient participation in program evaluation activities (2 C.F.R. § 200.301). Program evaluation activities incorporated from the outset in the NOFO, and program design and implementation allow recipients and agencies to meaningfully document and measure progress and achievement towards program goals and objectives, and identify program outcomes and lessons learned, as part of demonstrating recipient performance (2 C.F.R. § 200.301).

As such, recipients and subrecipients are required to participate in a Program Office (PO) or a DHS Component-led evaluation, if selected. This may be carried out by a third-party on behalf of the PO or the DHS Component. Such an evaluation may involve information collections including, but not limited to, records of the recipients; surveys, interviews, or discussions with individuals who benefit from the federal award, program operating personnel, and award recipients; and site visits or other observation of recipient activities, as specified in a DHS Component or PO-approved evaluation plan. More details about evaluation requirements may be provided in the federal award, if available at that time, or following the award as evaluation requirements are finalized. Evaluation costs incurred during the period of performance are allowable costs (either as direct or indirect) in accordance with [2 C.F.R. § 200.413](#). Recipients and subrecipients are also encouraged, but not required, to participate in any additional evaluations after the period of performance ends, although any costs incurred to participate in such evaluations are not allowable and may not be charged to the federal award.

#### **K. Additional Performance Reporting Requirements**

Not applicable

#### **L. Termination of Federal Award**

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

## 2. Termination of the Federal Award by FEMA

FEMA may terminate the federal award in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

- a. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.
- b. With the consent of the recipient, in which case FEMA and the recipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
- c. If the federal award no longer effectuates the program goals or agency priorities. Under this provision, FEMA may terminate the award for these purposes if any of the following reasons apply:
  - i. If DHS/FEMA, in its sole discretion, determines that a specific award objective is ineffective at achieving program goals as described in this NOFO;
  - ii. If DHS/FEMA, in its sole discretion, determines that an objective of the award as described in this NOFO will be ineffective at achieving program goals or agency priorities;
  - iii. If DHS/FEMA, in its sole discretion, determines that the design of the grant program is flawed relative to program goals or agency priorities;
  - iv. If DHS/FEMA, in its sole discretion, determines that the grant program is not aligned to either the DHS Strategic Plan, the FEMA Strategic Plan, or successor policies or documents;
  - v. If DHS/FEMA, in its sole discretion, changes or re-evaluates the goals or priorities of the grant program and determines that the award will be ineffective at achieving the updated program goals or agency priorities; or
  - vi. For other reasons based on program goals or agency priorities described in the termination notice provided to the recipient pursuant to 2 C.F.R. § 200.341.
  - vii. If the awardee falls out of compliance with the Agency's statutory or regulatory authority, award terms and conditions, or other applicable laws.

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

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

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

## 4. Termination by the Recipient or Subrecipient

The recipient or subrecipient may terminate the federal award in whole or in part for the following reason identified in 2 C.F.R. § 200.340: Upon sending FEMA or pass-through entity a written notification of the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if FEMA or 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 C.F.R. § 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 C.F.R. §§ 200.344 and 200.345.

**6. Notification requirements**

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

**7. Opportunities to Object and Appeals**

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

**8. Effects of Suspension and Termination**

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

**M. Best Practices**

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

**N. Payment Information**

Recipients will submit payment requests in FEMA GO for awards associated with this funding opportunity under this program.

### **Instructions to Grant Recipients Pursuing Payments**

FEMA reviews all grant payments and obligations to ensure allowability in accordance with [2 C.F.R. § 200.305](#). These measures ensure funds are disbursed appropriately while continuing to support and prioritize communities who rely on FEMA for assistance. Once a recipient submits a payment request, FEMA will review the request. If FEMA approves a payment, recipients will be notified by FEMA GO and the payment will be delivered pursuant to the 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 [2 C.F.R. § 200.305](#). For grant recipients other than States, [2 C.F.R. § 200.305\(b\)\(3\)](#) stipulates that FEMA is to make payments on a reimbursement basis within 30 days after receipt of the payment request, unless FEMA reasonably believes the request to be improper. For state recipients, [2 C.F.R. § 200.305\(a\)](#) instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements ("Treasury-State agreement") and default procedures codified at [31 C.F.R. part 205](#) and [Treasury Financial Manual \(TFM\) 4A-2000, "Overall Disbursing Rules for All Federal Agencies."](#) See [2 C.F.R. § 200.305\(a\)](#).

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

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

### **Submission Process**

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

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

1. Grant ID / Award Number
2. Total amount requested for drawdown
3. Purpose of drawdown and timeframe covered (must be within the award performance period)
4. Subrecipient Funding Details (if applicable).
  - Is funding provided directly or indirectly to a subrecipient?
    - If **no**, include statement “This grant funding is not being directed to a subrecipient.”
  - If **yes**, provide the following details:
    - The name, mission statement, and purpose of each subrecipient receiving funds, along with the amount allocated and the specific role or activity being reimbursed.
    - Whether the subrecipient’s work or mission involves supporting aliens, regardless of whether FEMA funds support such activities.
    - Whether the payment request includes an activity involving support to aliens.
    - Whether the subrecipient has any diversity, equity, and inclusion practices.<sup>3</sup>
5. Supporting documentation to demonstrate that expenses are allowable, allocable, reasonable, and necessary under [2 CFR part 200](#) and in compliance with the grant’s NOFO, award terms, and applicable federal regulations.

#### **O. Immigration Conditions**

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), unless an exception applies as stated in this Notice of Funding Opportunity. As stated above, 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) do not apply to any federal award under this funding opportunity. The

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<sup>3</sup> Pursuant to the preliminary injunction order issued on November 21, 2025, in *County of Santa Clara et al. v. Noem, et al.*, No. 25-cv-08330-WHO (N.D. Cal.), Paragraph C.XVII of the DHS Standard Terms and Conditions titled "Anti-Discrimination" does not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect. If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII will immediately become effective.

Pursuant to the preliminary injunction order issued on November 21, 2025, in *City of Chicago et al. v. Noem, et al.*, No. 25-CV-12765 (N.D. Ill.), Paragraph C.XVII of the DHS Standard Terms and Conditions titled "Anti-Discrimination" does not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect. If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII will immediately become effective.

Pursuant to the preliminary injunction order issued on October 31, 2025, in *City of Seattle v. Trump, et al.*, No. 2:25-cv-01435-BJR (W.D. Wa.), Paragraph C.XVII of the DHS Standard Terms and Conditions titled "Anti-Discrimination" does not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect. If the preliminary injunction is stayed, vacated, or extinguished, Paragraph C.XVII will immediately become effective.

As stated above, Paragraph C.XVII(2)(a)(iii) of the DHS Standard Terms and Conditions will not apply even if any of these preliminary injunctions are stayed, vacated, or extinguished.

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](http://www.dhs.gov/publication/dhs-standard-terms-and-conditions).

## **10. Other Information**

### **A. Period of Performance Extension Requests**

Extensions to the period of performance (POP) for this program are allowed but are not automatic. Recipients must submit formal, written extension requests to FEMA at least 90 days prior to the award POP expiration. Recipients are advised to coordinate with the FEMA Regional Hazard Mitigation Assistance Specialist as needed when preparing an extension request. All extension requests must address the following criteria:

- 1. Timely request:** Extension requests must be made at least 90 days prior to the award POP expiration.
- 2. Status and Evidence of Substantial Activity:**
  - a. Program name, fiscal year, and award number;
  - b. Status of key activities;
  - c. Recent progress/performance reports demonstrate meaningful progress (e.g., implementation underway, contracts executed, drawdowns occurring).
- 3. Reporting and compliance:** All required programmatic and financial reports must be current, accurate and submitted. There must be no substantial unresolved monitoring findings or compliance issues.
- 4. Justification for Extension:** The request must include a clear explanation of the specific issue(s) requiring more time, including external or mitigating circumstances.
- 5. Budget:** The request must include a summary of remaining federal and non-federal funds and how they will be used during the extended period of performance.
- 6. Completion Plan:** The request must include an updated plan for completion, including major milestones, timeframes and responsible parties, and confirmation that the work/project can be completed within the requested extension without significant scope changes.
- 7. Appropriations Limits:** The period of performance must not exceed 8-years.

Extension requests will be granted only when compelling legal, policy or operational factors exist, including:

1. Contractual commitments with vendors that cannot be completed within the period of performance;
2. Environmental planning or historic preservation reviews that extend beyond the current period of performance;
3. Long-duration projects whose acceleration would undermine program objectives;
4. The delay is FEMA's fault; or
5. Other documented extenuating circumstances.

No additional federal funds will be awarded as part of POP extensions. Recipients should submit all proposed extension requests to FEMA for review and approval at least 90 days prior to the end of the POP to allow sufficient processing time.

### **B. Other Information**

**a. *Environmental Planning and Historic Preservation (EHP) 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 EHP 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 EHP review process. This includes conducting early engagement to help identify EHP resources, such as threatened or endangered species or historic properties; submitting a detailed project description with supporting documentation to determine whether the proposed project has the potential to impact EHP 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 EHP review to be completed before federal funds are released to carry out proposed projects. FEMA may not be able to fund projects that are not in compliance with applicable EHP laws, Executive Orders, regulations, and policies. FEMA may recommend mitigation measures and/or alternative courses of action to lessen impacts to EHP resources and bring the project into EHP compliance.

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

All FEMA actions, including grants, must comply with National Flood Insurance Program (NFIP) criteria or any more restrictive federal, state, or local floodplain management standards or building code ([44 C.F.R. § 9.11\(d\)\(6\)](#)). For actions located within or that may affect a floodplain or wetland, the following alternatives must be considered: a) no action; b) alternative locations.

[Executive Orders 11988](#) and [11990](#): Protection of Wetlands, require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and be evaluated for social, economic, historical, environmental, legal and safety considerations. FEMA's regulations at [44 C.F.R. Part 9](#) implement the EOs and require an 8-step review process if a proposed action is located in a floodplain or wetland or has the potential to affect or be affected by a floodplain or wetland.

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

Through this NOFO, FEMA is giving initial public notice of grant opportunities that may be funded under the Building Resilient Infrastructure and Communities program, consistent with the

requirements of Section 9.8. The public is invited to participate in the process of identifying alternatives to locating a proposed project in the floodplain or wetland and analyzing the impacts of the alternatives on the floodplain or wetland. Comments may be provided by emailing [FEMA-OEHP-NOFOQuestions@fema.dhs.gov](mailto:FEMA-OEHP-NOFOQuestions@fema.dhs.gov) within 15 days of BRIC grant selections. While analyzing alternatives, FEMA may determine there are no practicable alternatives to carrying out the proposed work within the floodplain or wetland. Relocating facilities may not be practicable and could adversely impact affected communities socially and economically.

In addition, no alternative actions may be practicable that serve the same purpose and have less potential to affect or be affected by the floodplain. In the course of developing project proposals, subsequent project specific public notices will be published, if necessary, as more detailed information becomes available.

The GPD EHP screening form is located at [https://www.fema.gov/sites/default/files/documents/fema\\_ehp-screening\\_form\\_ff-207-fy-21-100\\_5-26-2021.pdf](https://www.fema.gov/sites/default/files/documents/fema_ehp-screening_form_ff-207-fy-21-100_5-26-2021.pdf).

Additionally, all recipients under this funding opportunity are required to comply with the FEMA GPD EHP Policy Guidance, FEMA Policy #108-023-1, available at [https://www.fema.gov/sites/default/files/documents/fema\\_gpd-ehp-policy-guidance.pdf](https://www.fema.gov/sites/default/files/documents/fema_gpd-ehp-policy-guidance.pdf).

#### ***b. Procurement Integrity***

When purchasing under a FEMA award, recipients and subrecipients must comply with the federal procurement standards in [2 C.F.R. §§ 200.317-200.327](#). To assist with determining whether an action is a procurement or instead a subaward, please consult [2 C.F.R. § 200.331](#). For detailed guidance on the federal procurement standards, recipients and subrecipients should refer to various materials issued by FEMA's Procurement Disaster Assistance Team (PDAT). Additional resources, including an upcoming trainings schedule can be found on the PDAT Website: <https://www.fema.gov/grants/procurement>.

Under [2 C.F.R. § 200.317](#) when procuring property and services under a federal award, States (including territories) and Indian Tribes, must follow the same policies and procedures they use for procurements from their non-federal funds; additionally, states and Indian Tribes must now follow [2 CFR § 200.322](#), regarding domestic preferences for Procurements and [2 CFR § 200.327](#) regarding required contract provisions.

Local government and nonprofit recipients or subrecipients must have and use their own documented procurement procedures that reflect applicable State, Local, Tribal, and Territorial (SLTT) laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in 2 C.F.R. Part 200.

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

On April 22, 2024, OMB updated various parts of Title 2 of the Code of Federal Regulations, among them the procurement standards. These revisions apply to all FEMA awards with a federal award date or disaster declaration date on or after October 1, 2024, unless specified

otherwise. The changes include updates to the federal procurement standards, which govern how FEMA award recipients and subrecipients must purchase under a FEMA award.

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

## 2. Competition and Conflicts of Interest

[2 CFR §200.319\(b\)](#), 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 and execution of specifications (or similar elements as described above), and this contract was procured in compliance with [2 C.F.R. § § 200.317-200.327](#), federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of those specifications. This rule applies to all contracts funded with federal grant funds, including pre-award costs, such as grant writer fees, as well as post-award costs, such as grant management fees.

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 C.F.R. § 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 [2 C.F.R. 200.318\(c\)\(2\)](#), if the local government and nonprofit recipient or subrecipient has a parent, affiliate, or subsidiary organization that is not a SLTT 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.

Per [2 C.F.R. § 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 CFR §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. Financial Assistance Programs for Infrastructure***

1. Recipients and subrecipients must comply with FEMA's implementation requirements of the Build America, Buy America Act (BABAA), which was enacted as part of the [Infrastructure Investment and Jobs Act §§ 70901-70927, Pub. L. No. 117-58 \(2021\)](#); and [Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers](#). See also [2](#)

[C.F.R. Part 184, Buy America Preferences for Infrastructure Projects](#) and [Office of Management and Budget \(OMB\), Memorandum M-24-02, Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.](#)

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

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

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

## 2. Waivers

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

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

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

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

## 3. Definitions

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

### **d. Mandatory Disclosures**

The non-Federal entity or applicant for a federal award must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award, [2 CFR §200.113](#).

**e. Adaptive Support**

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

**f. Record Retention**

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 at least three years from the date the final FFR is submitted. See [2 C.F.R. §200.334](#). Further, if the recipient does not submit a final FFR and the award is administratively closed, FEMA uses the date of administrative closeout as the start of the general record retention period.

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

2. Types of Records to Retain

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

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

**g. Actions to Address Noncompliance**

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

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

#### ***h. Audits***

FEMA grant recipients are subject to audit oversight from multiple entities including the DHS OIG, the GAO, the pass-through entity, or independent auditing firms for single audits, and may cover activities and costs incurred under the award. Auditing agencies such as the DHS OIG, the GAO, and the pass-through entity (if applicable), and FEMA in its oversight capacity, must have access to records pertaining to the FEMA award.

#### ***i. Extraordinary Circumstances***

Applicants and subapplicants must have a current FEMA approved mitigation plan at the time of application deadline and at the time of the award to receive BRIC project subawards; hazard mitigation plans that are approvable pending adoption are not sufficient. The FEMA Regional Administrator may grant an exception to the plan requirement for subapplicants, including Tribal nations applying as subapplicants to a state or territory, in extraordinary circumstances when the appropriate justification is provided.

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

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

Prior to award, the applicant must provide written justification, specific to each subapplication, that identifies the specific criteria from the above list and explains why the jurisdiction will be able to have a plan both approved by FEMA and adopted by the jurisdiction within 12 months. The justification must identify the specific actions or circumstances that have eliminated or will eliminate the deficiency that prevented the jurisdiction from previously having an approved plan. The justification must clearly demonstrate how the above circumstances impacted the community beyond just stating the above circumstances.

If FEMA grants an extraordinary circumstances exception, a local or tribal hazard mitigation plan must be approved by FEMA within 12 months of the award of the project subaward to that community. The recipient must acknowledge in writing to the Regional Administrator that the

jurisdiction will complete a plan within 12 months of the project subaward. The recipient must provide a Compliance Action Plan for completing the local or tribal hazard mitigation plan, including milestones and a timetable, to ensure the jurisdiction will complete the plan in the required time. This requirement must be incorporated into the award. If a plan is not provided within this time frame, the project subaward will be terminated, and any costs incurred after notice of subaward termination will not be reimbursed by FEMA. FEMA must notify the recipient of the subaward termination. For more information on award termination, refer to the [HMA Guide, Part 8, L. Award Termination](#).

If the hazard mitigation plan is not approved by FEMA within 12 months of the project subaward, FEMA should notify the recipient of its failure to meet the additional specific award or subaward conditions and request that the issue be corrected following remedies for non-compliance procedures in the [HMA Guide, Part 8, K. Remedies for Noncompliance](#).

#### ***j. Integrating Hazard Mitigation and Planning***

FEMA encourages state, local, tribal and territorial governments to pursue hazard mitigation planning and infrastructure projects with co-benefits that advance shared community outcomes such as economic resilience.

Alignment with SLTT planning mechanisms (economic development, housing, comprehensive plans, transportation plans, building codes, floodplain ordinances, etc.) is vital to building safer, more resilient communities. This two-way exchange of hazard mitigation principles, risk and vulnerability assessments, and hazard mitigation strategies supports risk reduction, both before and after disasters occur. Not only will SLTT planning efforts be better integrated, but by going through this process there is a higher level of interagency coordination, which is just as important as the planning mechanisms themselves. Additional information on hazard mitigation planning policies, training, and Planning Integration can be found at the FEMA [Implement, Integrate and Maintain Mitigation Planning Activities](#) and the [American Planning Association Hazards Planning](#) webpage.

#### ***k. Hazard-Resistant Building Codes***

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

#### ***l. Request for Information***

In order to ensure faster obligations after selection, if a subapplication does not meet the administrative or procedural information requirements, FEMA will request additional information in the form of a formal RFI. For BRIC, an RFI will not occur until after selection because of the competitive nature of the program. Applicants are responsible for coordinating with the subapplicant to get the required information. Failure to provide the requested

information by the final deadline identified in the request may result in denial if eligibility cannot be determined. Further details on the RFI process and timelines may be found in the [HMA Guide, Part 6, G. Requests for Information](#).

## **m. Appendices**

### 1. Abbreviations

- AOR: Authorized Organizational Representative
- BCA: Benefit Cost Analysis
- BCEGS: Building Code Effectiveness Grading Schedule
- BRIC: Building Resilient Infrastructure and Communities
- C.F.R.: Code of Federal Regulations
- DHS: Department of Homeland Security
- EHP: Environmental Planning and Historical Preservation
- EO: Executive Order
- FEMA: Federal Emergency Management Agency
- FEMA GO: FEMA Grants Outcomes
- HMA: Hazard Mitigation Assistance
- IBC: International Building Code
- ICC: International Code Council
- IRC: International Residential Code
- NEPA: National Environmental Policy Act
- NGO: Non-Governmental Organization
- POP: Period of Performance
- SLTT: State, Local, Tribal and Territorial

### 2. Resources

- Building Resilient Infrastructure and Communities (BRIC): <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>
- BRIC Program Support Materials: <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/resources>
- “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure: <https://www.fema.gov/grants/policy-guidance/buy-america>
- Environmental Planning and Historical Preservation (EHP): <https://www.fema.gov/emergency-managers/practitioners/environmental-historic>
- FEMA Benefit Cost Analysis (BCA): <https://www.fema.gov/grants/guidance-tools/benefit-cost-analysis>
- FEMA Create a Hazard Mitigation Plan: <https://www.fema.gov/emergency-managers/risk-management/hazard-mitigation-planning/create-hazard-plan>
- FEMA GO: <https://go.fema.gov/>
- FEMA Hazard Mitigation Assistance Cost Share Guide: [https://www.fema.gov/sites/default/files/2020-08/fema\\_hma\\_cost-share-guide.pdf](https://www.fema.gov/sites/default/files/2020-08/fema_hma_cost-share-guide.pdf)
- FEMA Hazard Mitigation Assistance Program and Policy Guide (HMA Guide): <https://www.fema.gov/grants/mitigation/guide>
- FEMA Nationwide Building Code Adoption Tracking: <https://www.fema.gov/emergency-managers/risk-management/building-science/bcat>

- FEMA Resilience Analysis and Planning Tool (RAPT): <https://www.fema.gov/rapt>
- State Hazard Mitigation Officers: <http://www.fema.gov/state-hazard-mitigation-officers>
- Tools to Assist with FEMA Grants: <https://www.fema.gov/grants/tools>