

The Department of Homeland Security (DHS)

Notice of Funding Opportunity (NOFO)

State Border Security Reinforcement Fund (SBSRF)

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

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1. Basic Information

A. Agency Name	U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA)
B. NOFO Title	State Border Security Reinforcement Fund
C. Announcement Type	Initial
D. Funding Opportunity Number	DHS-26-GPD-159-00-99
E. Assistance Listing Number	97.159
F. Expected Total Funding	\$9,985,436,000
G. Anticipated Number of Awards	1-50
H. Projected Application Start Date	June 4, 2026, 3:00 P.M. Eastern Time (ET)
I. Projected Application End Date	September 17, 2026, 5:00 P.M. Eastern Time (ET)
J. Anticipated Funding Selection Date	No earlier than October 15, 2026
K. Anticipated Award Date	No earlier than October 30, 2026
L. Projected Period of Performance Start Date	January 20, 2021
M. Projected Period of Performance End Date	September 30, 2034

N. Executive Summary	The State Border Security Reinforcement Fund (SBSRF), established by the Working Families Tax Cut Act of 2025 (Public Law 119-21), dedicates \$9,985,436,000 to border security. The goal is to support the Department of Homeland Security’s efforts to reduce unlawful entries, combat illegal drug flows, and strengthen collaboration among agencies—all as part of ongoing immigration reform enhancing border security nationwide through state-level projects funded via a competitive framework.
O. Agency Contact	a. Program Office Contact FEMA has assigned Preparedness Officers for SBSRF. If you are unsure who your Preparedness Officer is, please contact FEMA Grants News by phone at (800) 368-6498 or by email at fema-grants-news@fema.dhs.gov, Monday through Friday, 9:00 AM – 5:00 PM ET. b. FEMA Grants News This channel provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. FEMA Grants News Team is reachable at fema-grants-news@fema.dhs.gov OR (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET. c. Grant Programs Directorate (GPD) Award Administration Division GPD’s Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. AAD can be contacted at ASK-GMD@fema.dhs.gov. d. FEMA Regional Offices FEMA Regional Offices also may provide fiscal support, including pre- and post-award administration and technical assistance. FEMA Regional Office contact information is available at https://www.fema.gov/fema-regional-contacts. e. Civil Rights Consistent with Executive Order 14173, Ending Illegal Discrimination & Restoring Merit-Based Opportunity, the FEMA Integration and Coordination Division (ICD) is responsible for ensuring compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA. They are reachable at FEMA-CivilRightsOffice@fema.dhs.gov. f. Environmental Planning and Historic Preservation The FEMA office of Environmental Planning and Historic Planning (OEHP) provides guidance and information about the EHP review

	process to FEMA programs and recipients and subrecipients. Send any inquiries regarding compliance for FEMA grant projects under this NOFO to FEMA-OEHP-NOFOQuestions@fema.dhs.gov. g. <i>FEMA GO</i> For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at femago@fema.dhs.gov or (877) 585-3242, Monday through Friday, 9:00 AM – 6:00 PM ET.
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2. Eligibility

A. Eligible Entities/Entity Types	i. Applicants The only entities eligible to apply directly for funding are State Administrative Agencies (SAAs). SAAs are responsible for managing and distributing funds within their respective state, ensuring that resources support state and local border security and response efforts. For this funding opportunity, the term "state" includes only U.S. states, excluding the District of Columbia, the Commonwealth of Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. ii. Subapplicants SAAs are responsible for soliciting project proposals and distributing funds as subawards to eligible local governments as defined by 2 C.F.R. § 200.1. These distributed funds are called subawards, and the organizations receiving them are referred to as subrecipients. To be eligible, subapplicants must: 1. Qualify as local governments under federal regulation (2 C.F.R. § 200.1). 2. Demonstrate the operational capacity to carry out proposed activities. 3. Prioritize U.S. citizens in sensitive roles. If foreign nationals are involved, they must be fully vetted and comply with all DHS policies and Grant Programs Directorate (GPD) guidance, including “staff American, stay in America” protocols. 4. Show active coordination with U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP) through participation on Homeland Security Task Forces, full participation in the Department of Homeland Security’s 287(g) program, MOUs, joint operational plans, or documented participation in other federal border initiatives. All projects must align with federal border enforcement priorities. Territories, Tribal Nations and private organizations are not eligible for either direct awards or subawards.
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	<i>Examples of Potential Subapplicants/Subrecipients</i> Eligible subapplicants include, but are not limited to: • County Sheriff’s Offices (key roles in border enforcement, detention, and interdiction operations) • State Police or Highway Patrol Units (multi-jurisdictional response and support) • Local Emergency Management Agencies (disaster response, logistics, and resource allocation) • Regional Joint Task Forces or Multi-Agency Border Security Groups (coordination across agencies) • County or City Detention Facilities (detention, processing, and relocation support) • Regional Fusion Centers or Intelligence Units (intelligence analysis and information sharing) SAAs review, prioritize, and consolidate all subapplicant proposals into a single, statewide application for submission to DHS/FEMA. Applications are then subject to competitive federal review, including merit assessment by DHS authorities.
B. Project Type Eligibility	a. <i>Unallowable Project Types</i> See Section 3.F. Program-Specific Unallowable Activities b. <i>Allowable Project Types</i> To be eligible for funding under the program, costs must fall within one of the allowable categories listed below. 1. Construction or Deployment of Border Barrier or Buoys along the southern border of the United States. 2. Ground Preparation for Construction and Maintenance of Border Barriers. 3. Detection and Interdiction of Illicit Substances and Unlawful Aliens. 4. Relocation of Unlawfully Present Aliens. Please note that there may be restrictions on the use of funds for retroactive funding pathway activities.

	See <i>Appendix A: List of Allowable Activities</i> for more details. Applicants who have questions about whether a cost is allowable under this program should contact their Program Officer.
C. Requirements for Personnel, Partners, and Other Parties	An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not: 1. <i>A current employee, official, or leader</i> of the recipient organization; and 2. <i>Authorized to apply</i> for the award on behalf of the entity at the time of submission. Additionally, the Authorized Organization Representative (AOR) must: 1. Be a current authorized employee, official, or leader of the recipient organization. 2. Use a unique email address associated with the recipient organization at the time of application and upon any change in assignment during the period of performance. Consultants or contractors are not permitted to serve as the AOR of the recipient organization. For more information on the roles and responsibilities of the AOR, refer to FEMA's guidance on Roles and Permissions. Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statutes, policies, and procedures including “staff American, stay in America” and security requirements. Subapplicants/subrecipients must submit short bios and resumes. This should include the type of entity, organizational leadership, and board members along with both the names and addresses of the individuals. Resumes are subject to approval. Federal employees are prohibited from serving in any capacity (paid or unpaid) on the development of any proposal submitted under this program.
D. Maximum Number of Applications	N/A
E. Additional Restrictions	Applicants/subapplicants or recipients/subrecipients are required to certify their compliance with federal statutes, DHS directives, policies, and procedures.

	Territories, Tribal Nations, and nonprofit organizations as defined in 2 CFR § 200.1, are not eligible to apply as applicants and/or subapplicants. <i>Pass-Through Requirements</i> Not Applicable.
F. References for Eligibility Factors within the NOFO	Please see the following references provided below: 1. “Responsiveness Review Criteria” subsection 2. “Financial Integrity Criteria” subsection 3. “Supplemental Financial Integrity Criteria and Review” subsection 4. FEMA may 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. 5. Appendix A: List of Allowable Activities 6. Appendix B: Guidance for 2 CFR 200 Waiver Requests for Retroactive Funding Pathway Activities 7. Appendix C: Payment Requests 8. Appendix D: Investment Justifications
G. Cost Sharing Requirement	There is no cost share requirement.
H. Cost Share Description, Type and Restrictions	Not Applicable.
I. Cost Sharing Calculation Example	Not Applicable.
J. Required information for verifying Cost Share	Not Applicable.

3. Program Description

A. Background, Program Purpose, and Program History

SBSRF, authorized by the Working Families Tax Cut Act of 2025 (Public Law 119-21), was established to address the urgent need for robust and adaptable border security solutions at the state and local levels. SBSRF is a flexible hybrid program designed to reinforce the nation’s border by empowering states and local governments to meet evolving security challenges.

- SBSRF will enhance border security nationwide through state-level projects funded via a competitive framework.

Through strict compliance, robust oversight, and executive flexibility, SBSRF advances both congressional statutory requirements and administration priorities—ensuring effective, accountable, and responsive border security measures nationwide.

B. Goals, Objectives, and Priorities

SBSRF’s primary goal is to enhance U.S. border security by supporting state and local initiatives that address the most pressing challenges. The program funds both new (forward-looking) and eligible past (retroactive from Jan. 20, 2021, to the award date) activities, as outlined in the bill. Projects must align with DHS National Priority Area A: Border Security and Immigration Enforcement and show close coordination with federal agencies such as U.S. Customs and Border Protection (CBP).

Program objectives include:

- Construction or deployment of a border wall, border barrier, or buoys along the southern border of the United States.
- Any work necessary to prepare the ground at or near land borders to allow construction and maintenance of a border barrier.
- Detection and interdiction of illicit substances and aliens who have unlawfully entered the United States and have committed a crime under Federal, State, or local law.
- Relocation of aliens who are unlawfully present in the United States from population centers to other domestic locations.

C. Program Rationale

The stated goals, objectives, and priorities of SBSRF support section 90005(b) of the State Border Security Reinforcement Fund, under the One Big Beautiful Bill Act, Pub. L. No. 119-21 (2025) (codified at 8 U.S.C. § 1716).

D. Federal Assistance Type Grant.

E. Performance Measures and Targets

To support the goals of the SBSRF program—strengthening border security, improving public safety, and managing resources effectively—recipients must track and report on specific performance measures tailored to the funding pathway. These measures cover both past (completed) and future (ongoing or planned) projects. This separation ensures clarity in reporting and accountability this competitive funding model.

All performance measures must be included in both the semi-annual progress reports and the Biannual Strategy Implementation Report (BSIR). This ensures DHS receives timely and useful data on SBSRF funded activities, promoting transparency, continuous improvement, and the ability to measure the impact of investments on border security and preparedness.

1. SBSRF Performance Measures

Construction or Deployment of Border Wall, Barriers, or Buoys

- **Retroactive:**
 - Increase the total miles of border wall, fencing, barriers, or buoys built or deployed to prevent illegal entry and improve physical border security since January 20, 2021 through reimbursed activities.
 - Lower cost per mile of border barrier constructed or deployed, including labor, materials, and equipment since January 20, 2021 through reimbursed costs.
 - Increase the number of contracts awarded that include certifications of compliance with the Build America, Buy America Act since January 20, 2021 through reimbursed costs.
- **Forward-Looking:**
 - Increase the total miles of border wall, fencing, barriers, or buoys built or deployed to prevent illegal entry and improve physical border security.
 - Achieve cost reductions per mile of border barrier constructed or deployed through competitive procurement strategies, including labor, materials, and equipment.
 - Increase the number of contracts awarded that include certifications of compliance with the Build America, Buy America Act.

Ground Preparation for Construction and Maintenance

- **Retroactive:**
 - Increase the miles of access roads repaired or prepared since January 20, 2021 through reimbursed activities.
 - Increase the number of improvements to drainage and erosion control to ensure barriers are effective and sustainable since January 20, 2021 through reimbursed activities.
- **Forward-Looking:**
 - Increase the miles of access roads repaired or prepared.
 - Develop and implement innovative solutions for drainage and erosion control to ensure barriers are effective and sustainable.

Detection and Interdiction of Illicit Substances and Criminal Aliens

- **Retroactive:**
 - Demonstrate the increased number of arrests of unlawfully present aliens who have committed crimes, and the quantity of illicit substances seized since January 20, 2021, through reimbursed activities.
 - Demonstrate the increased the number of National Guard personnel deployed to arrest unlawfully present aliens and/or seize illicit substances since January 20, 2021.
- **Forward-Looking:**
 - Increase the number of new interdictions that result in arrests of unlawfully present aliens who have committed crimes and the seizure of illicit substances.
 - Increase the number of National Guard personnel deployed to arrest unlawfully present aliens and/or seize illicit substances.

Relocation of Criminal Aliens from Population Centers

- **Retroactive:**
 - Demonstrate the increased number of unlawfully present aliens who have committed crimes relocated or referred to DHS since January 20, 2021, through reimbursed costs.
- **Forward-Looking:**
 - Increase the number of relocations or referrals of unlawfully present aliens completed through new processes or partnerships.

F. Program-Specific Unallowable Costs

a. Unallowable Costs SBSRF

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

All unallowable activities and costs are subject to 2 C.F.R. § 200.403 and the FEMA authorized equipment list (AEL). Examples (not exhaustive):

- Construction of unrelated decorative, aesthetic, or recreational structures (AEL exclusion).
- Purchasing real property (land or existing buildings affixed to land).
- Rental fees for space or facilities that grantees own.
- Renovations or modifications to rented real property.
- Equipment or services not listed on the AEL without prior written approval.
- Landscaping or beautification without a physical security function.
- Surveillance, IT, or communications equipment not tied directly to border security.
- Long-term or unrelated housing, hotel stays outside relocation context, personal stipends.
- Legal services, including litigation.

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 are not allowed.

I. Management and Administration (M&A) Costs

M&A costs are allowed.

Applicants may use up to 2% of their SBSRF award for M&A costs. Subapplicants may also use up to 2% of their subaward for M&A costs. M&A activities are those directly related to the management and administration of SBSRF funds, such as financial management, reporting, and grant monitoring. These expenses must be based on actual costs or known contractual amounts; requests based solely on a percentage of the award, without supporting justification, will not be approved or reimbursed.

M&A are not overhead costs but are necessary direct costs incurred in direct support of the federal award or as a consequence of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct support of the program. As such, M&A costs can be itemized in financial reports. If an outside consultant or contractor is used for grant writing or grant management, additional federal requirements may apply.

Permissible M&A uses also include:

- Hiring full- or part-time staff (including contractors and consultants) to manage the award
- Designing and implementing the current year's program to ensure compliance with reporting and data collection requirements, including FEMA data calls
- Travel expenses (domestic only) related to grant administration, in accordance with 2 C.F.R. Part 200
- Purchasing necessary office equipment, such as computers or laptops, for M&A purposes

All M&A costs must be itemized in financial reports and fully supported by documentation.

J. Retroactive Funding Pathway

This program's Retroactive Funding Pathway permits reimbursement for eligible, well-documented border security expenditures incurred between January 20, 2021, and the date of the grant award. All retroactive costs are subject to the same environmental, legal, and programmatic review as prospective projects and waivers will be considered only for mission-critical, urgent expenses with appropriate justifications and to the extent allowed by law. For applicants pursuing retroactive costs, all required reimbursement documentation must be submitted at the time of application for consideration. See *Appendix A: List of Allowable Activities* for a detailed list of allowable activities, *Appendix B: Guidance for 2 CFR Part 200 Waiver Requests for Retroactive Funding Pathway Activities*, and *Appendix C: Payment Requests* for additional information.

K. Beneficiary Eligibility

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

L. Participant Eligibility

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

M. Authorizing Authority

Working Families Tax Cut Act of 2025, Pub. L. No. 119-21, § 90005(b)

N. Appropriation Authority

Working Families Tax Cut Act of 2025, Pub. L. No. 119-21. § 90005(b)

O. Budget Period

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

P. Prohibition on Covered Equipment or Services

Recipients, sub-recipients, and their contractors or subcontractors must comply with the prohibitions set forth in Section 889 of the [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

Not Applicable.

B. Application Content and Format

Applications will be submitted via FEMA GO.

C. Application Components

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

- **Application Worksheet:** Applicants must provide additional certifications for the funds requested, budget instructions, and a list of subapplicants that are known at the time of application. Applicants must use the provided worksheet and must upload their completed worksheet to the Project Worksheet section in FEMA GO as an Excel file with the naming convention SBSRF_Application_Worksheet.
- **Investment Justification (IJ):** Applicants must submit one IJ for each objective for which they are requesting funding. In each IJ, applicants must address existing capability levels, gaps the investment tends to address, and proposed activities ensuring alignment with program guidelines. Applicants must upload their completed IJ to FEMA GO as a word file with the naming convention SBSRF_Investment justification. Applicants will submit between one and four IJ's (one for each allowable activity listed in Appendix A).
- **For Retroactive Funding Pathway:** All required documentation for retroactive costs reimbursement requests must be submitted at the time of application for consideration. See *Appendix A: List of Allowable Activities* for a detailed list of allowable activities, *Appendix B: Guidance for 2 CFR Part 200 Waiver Requests for Retroactive Funding Pathway Activities*, and *Appendix C: Payment Requests* for additional information.

E. Post-Application Requirements for Successful Applicants

Applicants likely to be funded may receive a request for additional information by email before award. Applicants must respond to the request to move forward with the grant review process.

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\(a\)\(2\)\(iv\)](#), 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 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 DHS/FEMA funds. Read the instructions carefully and prepare the requested information before beginning the registration process. Gathering the required information before starting the process will alleviate last-minute searches for required information.

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

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

Obtain a UEI Number:

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

Obtain Employer Identification Number:

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

Create a login.gov account:

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

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

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

Register with SAM:

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

For more detailed instructions for registering with SAM, refer to: [Register with SAM](#)

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

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

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

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

- Google Chrome;
- Mozilla Firefox;
- Apple Safari; and
- Microsoft Edge.

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

Submitting the Final Application:

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

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

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

B. Application Deadline

September 17, 2026, 5:00 P.M. Eastern Time. FEMA reserves the right to extend the grant application deadline if it determines, in its sole discretion, that such an extension is in the best interest of the grant program and the Department of Homeland Security. Any extension of the deadline will be communicated to all potential applicants in a timely manner.

C. Pre-Application Requirements Deadline
Not Applicable.

D. Post-Application Requirements Deadline
Not Applicable.

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

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

6. Intergovernmental Review

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

7. Application Review Information

A. Threshold Criteria
The SAA is the sole entity authorized to submit SBSRF applications to FEMA on behalf of the state and subrecipients. Applicants that do not meet the eligibility criteria will be deemed ineligible.

B. Application Criteria
a. *Programmatic Criteria*

Recommended awards for the SBSRF program will be distributed using a risk-informed methodology to ensure funding is directed toward areas with the highest need and potential impact.

1. Risk Methodology and Score:

The risk score serves as the foundational element for award recommendations and is calculated based on DHS definition of relative risk, which includes threat, vulnerability, and consequence components associated with acts of terrorism or other security risks. The risk methodology evaluates:

- **Threat:** The likelihood of an attack being attempted by an adversary.
- **Vulnerability:** The likelihood that an attack would succeed if attempted.
- **Consequence:** The potential impact of an event, including effects on critical infrastructure, economic stability, and national security.

This score reflects DHS's commitment to directing resources toward areas with the highest relative risk, ensuring investments align with the Administration and national security priorities.

b. Application Evaluation Criteria

FEMA will rank all complete applications based on how well they match the evaluation criteria. Answers to the application's activity-specific questions provide information used to determine each application's ranking relative to the program priorities.

c. Review and Selection Process

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

State Review

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

Federal Review

FEMA will review applications based on the evaluation criteria to ensure eligibility and compliance with all application requirements provided in this NOFO as well as apply the following programmatic criteria:

- Activities proposed are only those identified as allowable in this NOFO.
- The applicant demonstrates their capacity, either organically or through a partnership, to provide each allowable activity proposed for funding.
- Proposed deliverables are consistent with the objectives and priorities of program.
- Project timelines are realistic, attainable, and conform to the performance period of program.
- Proposed costs are allowable, reasonable, and cost-effective in relation to proposed activities.

The applicant possesses the capacity to manage a federal award consistent with Federal statutes, regulations, and the terms and conditions of the Federal award.

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, defined at 41 U.S.C. § 134, over the period of performance:

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

E. Reviewers and Reviewer Selection

Reviewers for SBSRF applications are selected from within FEMA, across the federal government, and, where applicable, may include external subject matter experts. These reviewers are chosen based on their expertise in homeland security, immigration, and grant administration.

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

F. Merit Review Process

Risk Assessments will be conducted on all applicants prior to recommending final selections. Funding in this NOFO for SBSRF is allocated to eligible applicants only. Risk Assessments will be conducted on all applicants prior to recommending final selections.

SUBRECIPIENT PROCESS

For application packages that have subapplicants, the applicant must evaluate subapplicants based on the eligibility criteria (Section 2.A). As part of the review for SBSRF, the applicant must:

- Conduct a preliminary eligibility review.
- Confirm each subapplicant has the capacity to perform the allowable activities proposed in the Application Worksheet.
 - Populate Tab 3 (Subapplicant Information) of the Application Worksheet for each proposed subapplicant.

REVIEW AND SELECTION PROCESS

Applications are reviewed through a multi-step process. All applications are pre-scored and ranked based on how well they align with the funding priorities and criteria outlined in this NOFO. A Technical Evaluation panel will then develop a recommendation on which projects, or portions of projects, to award based on the evaluation criteria.

PRE-SCORING PROCESS

The application undergoes a pre-scoring process based on the evaluation criteria. All information should comply with program requirements as stated in this NOFO and statutory funding limitations. Applications will be ranked as a result of their evaluation criteria score.

TECHNICAL REVIEW PROCESS

FEMA will determine a competitive range based on application submissions and funding. Applications representing that competitive range will undergo a Technical Review by a panel of subject matter experts from CBP, ICE, FEMA, and other parts of DHS with experience in immigration, homeland security and grants management before being recommended for award. FEMA will evaluate applications through a series of internal review processes for eligibility and completeness. Requests may be recommended for partial funding based on findings made during this assessment.

G. Final Selection

The final selection process consists of an eligibility review and a technical review before recommending applications for an award. Once the eligibility review and technical review process is complete, a final ranking of applications will be created. The review panel will use the final results to make funding recommendations to the Secretary of Homeland Security. All final funding determinations will be made by the Secretary of Homeland Security, who retains the discretion to consider other factors and information, such as indicators of the greatest need or operational impact, in addition to the review panel's funding recommendations.

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 60 days from the award date. Recipients shall notify FEMA of their intent to accept the award and proceed with work via the FEMA GO system.

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

B. Pass-Through Requirements

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

The grant funds are obligated in accordance with applicable laws, and no later than upon award.

E. Notification to Unsuccessful Applicants

DHS/FEMA and FEMA GO will provide a turndown notification to all applicants who do not receive an FY 2026 award.

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 extended to cover additional plaintiffs, this provision will also not apply to any awards or subawards issued to those plaintiffs. 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 extended to cover additional plaintiffs, this provision will also not apply to any awards or subawards issued to those plaintiffs. 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 federal award, unless a term and condition specifically indicates otherwise. The DHS Standard Terms and Conditions are available online and can be found at [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.

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) The DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act"; and (2) the DHS Standard Term and Condition titled "All Executive Orders Related to Grants". If the preliminary injunction is extended to cover additional plaintiffs, this provision will also not apply to any awards or subawards issued to those plaintiffs. If the preliminary injunction is stayed, vacated, or extinguished, both terms will immediately become effective. As stated above, Paragraph (2)(a)(ii) of the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" 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) the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act"; and (2) the DHS Standard Term and Condition titled "All Executive Orders Related to Grants". If the preliminary injunction is extended to cover additional plaintiffs, this provision will also not apply to any awards or subawards issued to those plaintiffs. If the preliminary injunction is stayed, vacated, or extinguished, both terms will immediately become effective. As stated above, paragraph (2)(a)(ii) of the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" 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: the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act". If the preliminary injunction is extended to cover additional plaintiffs, this provision will also not apply to any awards or subawards issued to those plaintiffs. If the preliminary injunction is stayed, vacated, or extinguished, the term will immediately become effective. As stated above, paragraph (2)(a)(ii) the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" will not apply even if the preliminary injunction is stayed, vacated, or extinguished.

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](#).
2. Recipients must submit the FFR quarterly throughout the period of performance (POP) as detailed below; including partial calendar quarters, as well as in periods where no grant award activity occurs.
3. The FFR must be submitted through FEMA GO.
4. The final FFR is due within 120 calendar days after the end of the POP.

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

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

D. Programmatic Performance Reporting Requirements

1. A Performance Report must be submitted quarterly throughout the POP as detailed below, including partial calendar quarters, as well as in periods where no grant award activity occurs, through FEMA GO.
2. A Performance Report must include:
 - a. Quantitative data for all applicable SBSRF performance measures;
 - b. Description of activities during the reporting period, as applicable; and,

- c. Narrative summaries of SBSRF funding impacts and any relevant organizational partnerships.
3. The Performance Report must be submitted through FEMA GO.
4. The final Performance Report is due within 120 calendar days after the end of the POP

The following reporting periods and due dates apply for the PPR:

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

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

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 (SF-425).
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.

Additional Reporting Requirements

Any time there is a change in the Authorized Organization Representative (AOR), a Program-Limited AOR, and/or a Subrecipient Authorized Representative (SAR), the applicant must notify FEMA of the change and update their functional roles within the FEMA GO system.

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

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. The termination provision condition listed below applies to the grant award and the “Termination of a Federal Award” term and condition in the FY 2026 DHS Standard Terms and Conditions does not.
2. Termination of the Federal Award by FEMA
FEMA may, in its sole discretion, terminate the federal award in whole or in part for one of the following reasons consistent with [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 FEMA determines that a specific award objective is ineffective at achieving program goals as described in this NOFO;
 - ii. If FEMA determines that an objective of the award as described in this NOFO will be ineffective at achieving program goals or agency priorities;
 - iii. If FEMA determines that the design of the grant program is flawed relative to program goals or agency priorities;
 - iv. If FEMA 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 FEMA 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](#).
 - d. For convenience, including if the award no longer advances the national interest. Termination for convenience only applies to discretionary awards, as that term is

defined at 2 C.F.R. § 200.1. The term “discretionary award” does not include grants where legislation establishes an entitlement to the funds on the part of the recipient, such as block grants or those awarded based on a statutory formula.

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 must terminate its subawards.

4. Termination by the Recipient or Subrecipient

The recipient or subrecipient may terminate the federal award in whole or in part, as 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

When FEMA terminates the federal award in whole or in part before the end of the period of performance due to the recipient’s or subrecipient’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\(c\)](#).

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. Immigration Conditions

An immigration term and condition, including those in the [FY 2026 DHS Standard Terms and Conditions](#), participation in Homeland Security Task Forces, **and full participation in the DHS 287(g) program**, may be material to the Department of Homeland Security’s decision to make this grant award, and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or any local government subrecipient fails to comply with this term and condition. No final agency determination has been made as of the date of this publication.

The DHS Standard Term and Condition titled "Communication and Cooperation with the Department of Homeland Security and Immigration Officials" and paragraph (2)(a)(ii) of the term titled “Federal Anti-Discrimination Laws Material to the Government’s Payment Decisions Under the False Claims Act” do not apply to any federal award under this funding opportunity to the extent their application is limited by the injunction in *State of Illinois, et al. v. FEMA, et al.*, No. 25-206 (D. R.I.) issued on October 14, 2025, or *City and County of San Francisco, et al. v. Trump, et al.*, No. 3:25-cv-01350 (N.D. Cal.) issued on August 22, 2025.

10. Other Information

A. Period of Performance Extension

Extensions to the period of performance are not allowed.

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, historic properties, or communities with environmental concerns; submitting a detailed project description with supporting documentation to determine whether the proposed project has the potential to impact 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; and c) alternative actions, including alternative actions that use natural features or nature-based solutions. Where possible, natural features and nature-based solutions shall be used. If not practicable as an alternative on their own, natural features and nature-based solutions may be incorporated into actions as minimization measures.

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.

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.

Information about GSA programs for states, Indian Tribes, and local governments, and their instrumentalities, can be found at [Purchasing Resources and Support for State and Local Governments.pdf](#)

4. Procurement Documentation

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.

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

- Specifications
- Solicitations

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

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.

Appendix A: List of Allowable Activities

A. Retroactive Funding Pathway: Activities

Retroactive Funding Pathway costs are reimbursable for allowable activities identified in this annex and equipment on the FEMA AEL. Some infrastructure projects may be subject to the Build America, Buy America Act (BABAA). Per section 70914(b) of BABAA, FEMA may waive the application of a "Buy America" preference under certain circumstances. Waivers may be requested through the instructions located in Section 9.B.c. of this NOFO. A BABAA general applicability waiver specific to this fund may be available for projects that have completed planning and design, are under construction, or have completed construction. Please contact FEMA-Grants-BuyAmerica@fema.dhs.gov if you have any questions about BABAA related waivers for this fund. See *Appendix B: Guidance for 2 CFR Part 200 Waiver Requests for Retroactive Funding Pathway Activities* for additional information regarding waivers and the retroactive funding pathway activities.

a. Construction or Installation of Border Wall, Fencing, or Other Barrier

Note: The activities in this category are only allowable if the applicant demonstrates a completed EHP review. In some cases, proof of consultation with relevant partner agencies may be required.

1. Activities

- Planning & Design: Site surveys, geospatial mapping, environmental impact studies, development of architectural/engineering plans, permit coordination, risk assessment/contingency planning
- Construction & Installation: Prepping foundations for barriers, erecting structures or erosion control measures, installing surveillance/comms systems, aggregating and paving patrol and access roads, installing vehicle gates, installing pipes, conducting inspections
- Procurement: Purchasing construction materials, safety equipment, surveillance systems, heavy equipment, or contracts for construction firms
- Personnel Costs: Training programs, travel expenses, salaries for engineers, project managers, security personnel and construction workers

2. Equipment

- Heavy machinery: bulldozers, excavators, cranes, concrete mixers, pile drivers.
- Surveying tools: Global Positioning System (GPS) devices, drones, laser rangefinders.
- Construction tools: welding equipment, drills, saws, cutting torches.
- Safety gear: helmets, gloves, goggles, harnesses, reflective vests.
- Surveillance equipment: cameras, sensors, radar systems, lighting installations, communication devices

3. Expenses

- Material costs (e.g., steel, concrete, fencing materials).
- Equipment rental or purchase costs.
- Permitting and regulatory compliance fees.
- Transportation and logistics for materials and personnel.
- Security costs for construction sites.
- Utilities (i.e. electrical service).

b. Ground Preparation for Construction and Maintenance

Note: The activities in this category are only allowable if the applicant demonstrates a completed EHP review.

1. Activities

- Site Preparation
- Maintenance Preparation
- Infrastructure Development

2. Equipment

- Land-clearing tools: chainsaws, brush cutters, bulldozers.
- Soil testing equipment: augers, moisture meters, compaction testers.
- Road-building machinery: graders, rollers, dump trucks.
- Drainage installation tools: trenchers, pipe cutters, water pumps.
- Maintenance tools: welding kits, repair kits, ladders, scaffolding.

3. Expenses

- Labor costs for site preparation crews.
- Equipment rental or purchase costs.
- Fuel and maintenance for heavy machinery.
- Costs for soil testing and environmental compliance.
- Transportation and storage costs for materials.

c. Detection and Interdiction of Illicit Substances and Unlawful Aliens

1. Activities

- Surveillance & Monitoring: Deploying drones, installing radar systems and motion detectors, conducting routine patrols using vehicles, all-terrain vehicles (ATVs), and horses, establishing observation posts and command centers.
- Interdiction: Intel gathering and analysis on smuggling or trafficking, checkpoint inspections, illicit substance searching, apprehension of individuals unlawfully crossing the border.
- Transfer & Referral: Local law enforcement coordination, individual processing, referral of cases to the Department of Homeland Security or other federal agencies.

2. Equipment

- Surveillance tools: drones, radar systems, motion detectors, thermal cameras.
- Patrol vehicles: trucks, all-terrain vehicles (ATVs), horses, boats for water-based patrols.
- Detection tools: K-9 units, chemical detection kits, X-ray scanners.
- Communication devices: radios, satellite phones, secure networks.
- Apprehension tools: restraints, transport vehicles, portable holding cells.

3. Expenses

- Salaries for local law enforcement supporting border patrol agents, surveillance operators, and K-9 handlers.
- Necessary related travel costs for local law enforcement adhering to federal GSA standards and policy.
- Maintenance and fuel costs for patrol vehicles and equipment.
- Training programs for detection and interdiction techniques.
- Costs for intelligence gathering and analysis systems.
- Transportation and housing costs for apprehended individuals.

d. Relocation of Unlawfully Present Aliens

All transportation, detention, and relocation activities for unlawfully present aliens must be conducted under the direction of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection and in compliance with 287(g) authority.

1. Activities

- Transportation Coordination: Bus, plane or train transport
- Population Management: Identifying population centers, coordinating with receiving locations, tracking relocated individuals.
- Support Services: Providing temporary housing or holding facilities, ensuring access to medical care and basic needs, communicating with local authorities in receiving areas.

2. Equipment

- Transportation vehicles: buses, planes, trains, secure vans.
- Security tools: restraints, surveillance cameras, communication devices.
- Housing facilities: temporary shelters, portable restrooms, cots.
- Medical supplies: first aid kits, medications, emergency care equipment.

3. Expenses

- Transportation costs (fuel, vehicle maintenance, charter fees).
- Salaries for security personnel and relocation coordinators.
- Costs for temporary housing and basic necessities.
- Medical care expenses for relocated individuals.
- Administrative costs for tracking and compliance systems.

B. Forward-Looking Funding Pathway: Program-Specific Allowable Activities

To be reimbursed, all costs must be allowable, reasonable, and allocable (2 C.F.R. § 200.403 - 405). In addition to the criteria at 2 C.F.R § 200.403, costs are allowable for activities identified in Annex C. FEMA may add additional allowable activities beyond the list of examples detailed below as necessary to address evolving needs and circumstances

a. Construction or Installation of Border Wall, Fencing, or Other Barrier

1. Activities

- Planning & Design: Site surveys, geospatial mapping, environmental impact studies, development of architectural/engineering plans, permit coordination, risk assessment/contingency planning
- Construction & Installation: Prepping foundations for barriers, erecting structures or erosion control measures, installing surveillance/comms systems, aggregating and paving patrol and access roads, installing vehicle gates, installing pipes, conducting inspections
- Procurement: Purchasing construction materials, safety equipment, surveillance systems, heavy equipment, or contracts for construction firms
- Personnel Costs: Training programs, travel expenses, salaries for engineers, project managers, security personnel and construction workers

2. Equipment

- Heavy machinery: bulldozers, excavators, cranes, concrete mixers, pile drivers.
- Surveying tools: Global Positioning System (GPS) devices, drones, laser rangefinders.
- Construction tools: welding equipment, drills, saws, cutting torches.
- Safety gear: helmets, gloves, goggles, harnesses, reflective vests.
- Surveillance equipment: cameras, sensors, radar systems, lighting installations, communication devices

3. Expenses

- Material costs (e.g., steel, concrete, fencing materials).
- Equipment rental or purchase costs.
- Permitting and regulatory compliance fees.
- Transportation and logistics for materials and personnel.
- Security costs for construction sites.
- Utilities (i.e. electrical service).

b. Ground Preparation for Construction and Maintenance

1. Activities

- Site Preparation
- Maintenance Preparation
- Infrastructure Development

2. Equipment

- Land-clearing tools: chainsaws, brush cutters, bulldozers.
- Soil testing equipment: augers, moisture meters, compaction testers.
- Road-building machinery: graders, rollers, dump trucks.
- Drainage installation tools: trenchers, pipe cutters, water pumps.
- Maintenance tools: welding kits, repair kits, ladders, scaffolding.

3. Expenses

- Labor costs for site preparation crews.
- Equipment rental or purchase costs.
- Fuel and maintenance for heavy machinery.
- Costs for soil testing and environmental compliance.
- Transportation and storage costs for materials.

c. Detection and Interdiction of Illicit Substances and Unlawful Aliens

1. Activities

- Surveillance & Monitoring: Deploying drones, installing radar systems and motion detectors, conducting routine patrols using vehicles, all-terrain vehicles (ATVs), and horses, establishing observation posts and command centers.
- Interdiction: Intel gathering and analysis on smuggling or trafficking, checkpoint inspections, illicit substance searching, apprehension of individuals unlawfully crossing the border.

- Transfer & Referral: Local law enforcement coordination, individual processing, referral of cases to the Department of Homeland Security or other federal agencies.

2. Equipment

- Surveillance tools: drones, radar systems, motion detectors, thermal cameras.
- Patrol vehicles: trucks, all-terrain vehicles (ATVs), horses, boats for water-based patrols.
- Detection tools: K-9 units, chemical detection kits, X-ray scanners.
- Communication devices: radios, satellite phones, secure networks.
- Apprehension tools: restraints, transport vehicles, portable holding cells.

3. Expenses

- Salaries for local law enforcement supporting border patrol agents, surveillance operators, and K-9 handlers.
- Necessary related travel costs for local law enforcement adhering to federal GSA standards and policy.
- Maintenance and fuel costs for patrol vehicles and equipment.
- Training programs for detection and interdiction techniques.
- Costs for intelligence gathering and analysis systems.
- Transportation and housing costs for apprehended individuals.

d. Relocation of Unlawfully Present Aliens

All transportation, detention, and relocation activities for unlawfully present aliens must be conducted under the direction of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection and in compliance with 287(g) authority.

1. Activities

- Transportation Coordination: Bus, plane or train transport
- Population Management: Identifying population centers, coordinating with receiving locations, tracking relocated individuals.
- Support Services: Providing temporary housing or holding facilities, ensuring access to medical care and basic needs, communicating with local authorities in receiving areas.

2. Equipment

- Transportation vehicles: buses, planes, trains, secure vans.
- Security tools: restraints, surveillance cameras, communication devices.
- Housing facilities: temporary shelters, portable restrooms, cots.
- Medical supplies: first aid kits, medications, emergency care equipment.

3. Expenses

- Transportation costs (fuel, vehicle maintenance, charter fees).
- Salaries for security personnel and relocation coordinators.
- Costs for temporary housing and basic necessities.
- Medical care expenses for relocated individuals.
- Administrative costs for tracking and compliance systems.

Appendix B: Guidance for 2 CFR Part 200 Waiver Requests for Retroactive Funding Pathway Activities

Background

Expenditures for completed or ongoing activities that occurred on or after January 20, 2021, may be allowable under SBSRF. This fund was established to support state and local governments in addressing border security challenges through eligible activities, including those initiated prior to the award period. However, because some activities may have been initiated or completed before applicants received formal notification of award, compliance with certain federal requirements outlined in 2 C.F.R. Part 200 (Uniform Guidance) may not have been feasible at the time the activities were undertaken.

The Uniform Guidance, codified at 2 C.F.R. Part 200, provides a comprehensive framework for managing federal awards, including requirements for financial management, procurement, and performance monitoring. These regulations are designed to ensure accountability, transparency, and proper stewardship of federal funds. Additionally, applicants should note that the Office of Management and Budget (OMB) periodically updates 2 C.F.R. Part 200 requirements, meaning that the standards in effect at the time the activities occurred may differ from those currently in place. This may further complicate compliance for retroactive activities, as applicants may have been operating under earlier standards that no longer align with current expectations.

Pursuant to 2 C.F.R. § 200.102(c), FEMA may consider waivers of specific 2 C.F.R. Part 200 provisions on a case-by-case basis. Waivers may be granted when applicants can demonstrate the following:

1. Compliance was not feasible due to the retroactive nature of the activity: Applicants must show that the timing of the activity, relative to the award notification, made adherence to certain Uniform Guidance requirements impractical or impossible.
2. Appropriate safeguards and mitigation measures were followed under state or local requirements: Applicants should describe in writing the measures the applicant or subapplicant implemented to ensure accountability, oversight, and proper management of the activity.

Suggested Elements for Waiver Requests

If considering a waiver request for retroactive funding pathway activities, applicants should review the following examples where compliance may not have been feasible. Waiver requests should identify the applicable regulation(s) and provide sufficient justification for why compliance was not feasible.

For each requested waiver, applicants should provide an explanation addressing feasibility and safeguards. Additional supporting documentation may be requested during agency review, monitoring, or audit.

1. Procurement Standards
 - Issue: Federal procurement methods at 2 C.F.R. § 200.320 and contract clauses at 2 C.F.R. § 200.327 could not have been followed for contracts executed before award.

- Waiver Request Should Explain: The state/local procurement laws that were followed, the measures that were taken to prevent conflicts of interest and fraud, and that costs were reasonable, and how it was determined that costs were reasonable.
2. Prior Approval Requirements (2 C.F.R. § 200.407 and Subpart E references)
- Issue: Costs requiring advance federal approval (e.g., equipment, participant support) could not have received approval before award.
 - Waiver Request Should Explain: How it was determined that costs were necessary, reasonable, and allocable.
3. Property Standards (2 C.F.R. §§ 200.310–316)
- Issue: Recipients may not have tracked or tagged equipment consistent with federal standards.
 - Waiver Request Should Explain: The equipment being used, and that the equipment is being used for its intended purpose and safeguarded under state/local procedures.
4. Subrecipient Monitoring (2 C.F.R. §§ 200.331–333)
- Issue: Risk assessments, site visits, and federal-style monitoring may not have occurred prior to award.
 - Waiver Request Should Explain: What oversight was conducted (if any) and how performance was verified.
5. Cost Sharing / Matching Contributions (2 C.F.R. § 200.306(j))
- Issue: Documentation of match (cash or in-kind) may not meet federal standards for retroactive periods.
 - Waiver Request Should Explain: How it was determined that contributions were real, necessary, and consistent with project goals.
6. Recordkeeping & Documentation (2 C.F.R. §§ 200.334–200.338)
- Issue: Federal-compliant record systems may not have existed during retroactive periods.
 - Waiver Request Should Explain: That sufficient records exist to support allowability and allocability, recognizing that the agency may request them.
7. Internal Controls (2 C.F.R. § 200.303)
- Issue: Federal-specific internal controls may not have been in place retroactively.

- Waiver Request Should Explain: What state/local controls were followed and how they safeguarded against fraud, waste, or abuse.

Applicants may request waivers of other 2 C.F.R. Part 200 provisions not listed above if they believe compliance was not feasible for retroactive activities. Each request must include, at a minimum:

- Citation to the specific 2 C.F.R. Part 200 provision,
- Explanation of why compliance was not feasible, and
- Description of alternative safeguards or procedures followed by the applicant or subapplicant.

Applicant Certification

By submitting a waiver request, the applicant certifies that:

- All expenditures comply with applicable federal statutes, as well as state, local, or tribal laws and regulations.
- Measures were taken to avoid conflicts of interest, prevent fraud, waste, or abuse, and ensure integrity in procurement and contracting.
- Costs are reasonable, necessary, allocable, and consistently applied in accordance with applicable requirements at 2 C.F.R. Part 200 Subpart E (Cost Principles).
- Records exist to support all costs, and documentation will be provided if requested by the agency during review, monitoring, or audit.
- For equipment and property, items remain in use for their originally intended purpose, or equivalent safeguards were applied.

Authorized Official Certification Statement:

I hereby certify that, to the best of my knowledge and belief, the information provided in this waiver request is true and correct, that appropriate mitigation measures were taken to ensure accountability, and that all expenditures comply with applicable federal and state/local laws.

Signature: _____

Date: _____

Submission Instructions

Waiver requests must be submitted in writing, on official applicant letterhead, and signed by an authorizing official. Requests should be submitted as an attachment along with grant application in FEMA GO.

All waiver requests must clearly identify the applicant, award or application number (if available), and the specific activities for which a waiver is sought.

Agency Determination and Notification

FEMA will review each waiver request on a case-by-case basis, and applicants may be contacted for clarification support or to provide supporting documentation. FEMA will issue a written determination to the applicant, either approving or denying the waiver request in whole or in part. Agency approval of a waiver request does not guarantee reimbursement.

FEMA will not grant an exception when prohibited by law or other approval is expressly required by 2 C.F.R. Part 200. Additionally, only the cognizant agency for indirect costs may authorize exceptions related to cost allocation plans or indirect cost rate proposals.

Appendix C: Payment Requests

Appendix C contains detailed information on SBSRF Award Administration. Reviewing this information may help recipients in the programmatic and financial administration of their award(s).

A. Payments

FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to recipients. Payment/drawdown requests are generated using FEMA GO. Payment/drawdown requests will be governed by applicable federal regulations in effect at the time a grant is awarded to the recipient and the terms and conditions set forth in this NOFO. For future funding pathway, it is recommended that recipients should not expend funds until all special conditions listed on the grant award document have been met, including completion of EHP review, active SAM.gov registration, and all funding holds associated with budget lines have been released.

Recipients and subrecipients should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of any relevant documentation and records. See, e.g., 2 C.F.R. §§ 200.318(i), 200.334, 200.337.

B. Retroactive Funding Pathway – Costs

Retroactive funding pathway costs must be submitted at the time of application, accompanied by all required supporting documentation. This includes evidence of adherence to procurement standards, environmental and historic preservation reviews, and any applicable waiver requests (See *Appendix B: Guidance for 2 CFR Part 200 Waiver Requests for Retroactive Funding Pathway Activities* for additional details on waiver requests)

Appendix D: Investment Justifications

Appendix D contains detailed information on SBSRF Investment Justifications. Reviewing this information can assist applicants in preparing and submitting their award applications. These instructions apply to all award applications, as all applicants must submit investment justifications regardless of award type.

A. Investment Justification Framework

Each applicant (state-level recipient) must submit an Investment Justification (IJ) form that includes information for each funding category for which they are requesting funding. The IJ must address the recipient's overarching strategy, the intent to include subrecipients, and how subrecipient projects will contribute to achieving program goals. Additionally, each IJ must clearly distinguish between **Forward-Looking Funding Pathway** activities and **Retroactive Funding Pathway** activities.

Construction or Deployment of Border Barrier or Buoys

PROJECT DESCRIPTION:

- **Forward-Looking Pathway:** Describe planned construction or deployment activities, including site surveys, geospatial mapping, environmental impact studies, and

construction of barriers or buoys. Specify the geographic location(s) and anticipated outcomes.

- **Retroactive Pathway:** Identify completed construction or deployment activities eligible for reimbursement, such as barriers or buoys constructed between January 20, 2021, and the date of award. Include details on project scope, materials used, and compliance with regulatory requirements.

CAPABILITY GAP:

- **Forward-Looking Pathway:** Explain how planned activities will address gaps in physical border security and enhance deterrence of unlawful entry.
- **Retroactive Pathway:** Highlight how completed activities addressed immediate security needs and contributed to border security outcomes.

PROJECT OBJECTIVES:

- Increase the total miles of border barriers or buoys deployed (forward-looking and retroactive combined).
- Ensure compliance with the Build America, Buy America Act for forward-looking projects and secure waivers for retroactive projects as needed.

SUBRECIPIENT IMPACT (IF APPLICABLE):

- Describe how subrecipients will support construction or deployment activities (e.g., managing specific segments or providing local expertise).
- Provide examples of subrecipient projects, such as erecting barriers in high-traffic areas or installing buoys in waterways.

PERFORMANCE GOALS:

- Total miles of border barriers or buoys deployed (forward-looking and retroactive combined).
- Cost per mile of construction or deployment.
- Number of contracts awarded with Build America, Buy America certifications.

BUDGET AND TIMELINE:

- Provide a detailed budget breakdown for forward-looking and retroactive costs, including labor, materials, equipment, and administrative expenses.
- Include timelines for forward-looking project completion and retroactive reimbursement processing.

Ground Preparation for Construction and Maintenance of Border Barriers

PROJECT DESCRIPTION:

- **Forward-Looking Pathway:** Describe planned ground preparation activities, such as access road repairs, drainage improvements, and erosion control measures. Specify the geographic location(s) and anticipated outcomes.

- **Retroactive Pathway:** Identify completed ground preparation activities eligible for reimbursement, such as site preparation or infrastructure development completed between January 20, 2021, and the date of award.

CAPABILITY GAP:

- **Forward-Looking Pathway:** Explain how planned activities will support construction and maintenance efforts and address infrastructure gaps.
- **Retroactive Pathway:** Highlight how completed activities addressed immediate infrastructure needs and supported border barrier effectiveness.

PROJECT OBJECTIVES:

- Increase the miles of access roads repaired or prepared (forward-looking and retroactive combined).
- Improve drainage and erosion control measures to ensure sustainability of barriers.

SUBRECIPIENT IMPACT:

- Describe how subrecipients will support ground preparation activities (e.g., addressing localized infrastructure challenges or providing specialized expertise).
- Provide examples of subrecipient projects, such as repairing access roads in remote areas or implementing erosion control measures near waterways.

PERFORMANCE GOALS:

- Miles of access roads repaired or prepared (forward-looking and retroactive combined).
- Number of drainage and erosion control improvements completed.

BUDGET AND TIMELINE:

- Provide a detailed budget breakdown for forward-looking and retroactive costs, including labor, materials, equipment, and administrative expenses.
- Include timelines for forward-looking project completion and retroactive reimbursement processing.

3. Detection and Interdiction of Illicit Substances and Unlawful Aliens

PROJECT DESCRIPTION:

- **Forward-Looking Pathway:** Describe planned detection and interdiction activities, including surveillance, patrols, and apprehension operations. Specify the geographic location(s) and anticipated outcomes.
- **Retroactive Pathway:** Identify completed detection and interdiction activities eligible for reimbursement, such as patrols or apprehensions conducted between January 20, 2021, and the date of award.

CAPABILITY GAP:

- **Forward-Looking Pathway:** Explain how planned activities will enhance detection and interdiction capabilities and address gaps in operational capacity.

- **Retroactive Pathway:** Highlight how completed activities addressed immediate security threats and contributed to border enforcement outcomes.

PROJECT OBJECTIVES:

- Increase the number of arrests of unlawfully present aliens who have committed crimes (forward-looking and retroactive combined).
- Increase the quantity of illicit substances seized.

SUBRECIPIENT IMPACT:

- Describe how subrecipients will support detection and interdiction activities (e.g., leveraging local law enforcement expertise or deploying technology in high-risk areas).
- Provide examples of subrecipient projects, such as deploying detection equipment at key checkpoints or conducting interdiction operations in high-traffic areas.

PERFORMANCE GOALS:

- Number of arrests of unlawfully present aliens who have committed crimes (forward-looking and retroactive combined).
- Quantity of illicit substances seized.

BUDGET AND TIMELINE:

- Provide a detailed budget breakdown for forward-looking and retroactive costs, including equipment, technology, personnel, and administrative expenses.
- Include timelines for forward-looking project completion and retroactive reimbursement processing.

4. Relocation of Unlawfully Present Aliens

PROJECT DESCRIPTION:

- **Forward-Looking Pathway:** Describe planned relocation activities, including transportation, processing, and coordination with DHS. Specify the geographic location(s) and anticipated outcomes.
- **Retroactive Pathway:** Identify completed relocation activities eligible for reimbursement, such as transportation or population management conducted between January 20, 2021, and the date of award.

CAPABILITY GAP:

- **Forward-Looking Pathway:** Explain how planned activities will enhance relocation capabilities and address gaps in operational capacity.
- **Retroactive Pathway:** Highlight how completed activities addressed immediate relocation needs and supported population management efforts.

PROJECT OBJECTIVES:

- Increase the number of relocations or referrals of unlawfully present aliens (forward-looking and retroactive combined).

- Develop new processes or partnerships to improve relocation efficiency.

SUBRECIPIENT IMPACT:

- Describe how subrecipients will support relocation activities (e.g., providing transportation infrastructure or establishing partnerships with DHS).
- Provide examples of subrecipient projects, such as managing relocation operations in specific population centers.

PERFORMANCE GOALS:

- Number of relocations or referrals completed (forward-looking and retroactive combined).
- Number of new processes or partnerships established.

BUDGET AND TIMELINE:

- Provide a detailed budget breakdown for forward-looking and retroactive costs, including transportation, processing, personnel, and administrative expenses.
- Include timelines for forward-looking project completion and retroactive reimbursement processing.