Notice of Funding Opportunity

Application due: August 31, 2026

FY 26 National Dam Safety Program - Rehabilitation of High Hazard Potential Dams

Assistance Listing Number: 97.152
Funding Opportunity Number: DHS 26 MT 152 00 98

OMB Number: 1660 0170
Expiration Date: 08/31/2028

Contents

Before you begin

If you believe you are a good candidate for this funding opportunity, secure your System for Award Management (SAM.gov) and Grants.gov registrations now. If you are already registered, make sure your registration is active and up-to-date.

SAM.gov registration (this can take several weeks)

You must have an active account with SAM.gov. This includes having a Unique Entity Identifier (UEI).

See Step 2: Get Ready to Apply

Grants.gov registration (this can take several days)

You must have an active Grants.gov registration. Doing so requires a Login.gov registration as well.

See Step 2: Get Ready to Apply

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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To help you find what you need, this NOFO uses internal links. In Adobe Reader, you can go back to where you were before clicking an internal link by pressing Alt + Left Arrow (Windows) or Command + Left Arrow (Mac) on your keyboard.

Step 1: Review the Opportunity

In this step

Basic Information

A. Award Facts

Agency Name: U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Resilience, Hazard Mitigation Directorate (HMD), Hazard Mitigation Assistance Division (HMA)

Assistance Listing Number: 97.152

Notice of Funding Opportunity (NOFO) Title: Fiscal Year 2026 National Dam Safety Program Rehabilitation of High Hazard Potential Dams (HHPD)

Funding Opportunity Number: DHS-26-MT-152-00-98

Announcement Type: Initial

Expected Award Range: $100,000-$7,500,000

Expected Total Funding: $11,400,000

Anticipated Number of Awards: 50

Have questions? See Contacts and Support

Key Dates

Projected Application Start Date: August 4, 2026

Projected Application End Date: August 31, 2026

Anticipated Funding Selection Date: No later than September 30, 2026

Anticipated Award Date: No later than September 30, 2026

Projected Period of Performance Start Date: Date of award.

Projected Period of Performance End Date: Varies

Budget Period: 36 months

Scope of Work Package Submission Deadline: December 31, 2026.

B. Executive Summary

There are 16,875 dams in the United States that are classified as high hazard potential, meaning that their failure could result in loss of life, significant property damage, lifeline disruption and environmental damage. Investments in dam rehabilitation reduce future disaster losses and strengthen national resilience. Rehabilitation means the repair, replacement, reconstruction or removal of a dam that is carried out to meet state dam safety and security standards. U.S. Army Corps of Engineers analysis indicates that dam rehabilitation could avoid up to $12 in future disaster costs for every one dollar invested.

Guided by the National Resilience Strategy, the Rehabilitation of High Hazard Potential Dams (HHPD) grant program provides funding to eligible states, territories and non-federal governmental organizations to rehabilitate dams that do not meet minimum dam safety standards and put people and property at risk. FEMA will prioritize grant applications that contribute to multistate, regional, or national capabilities, including data centers, nuclear power generation, multi-state agriculture or multi-state water supply, or other such infrastructure or services. Funding priorities include technical analysis, planning, design, other pre-construction, and construction activities related to the repair, removal, or rehabilitation of eligible high hazard dams.

Eligibility

A. Eligible Entities

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

Applicant Eligibility

Applications will only be accepted from eligible applicants with state dam safety programs authorized by state legislation. Eligible applicants include:

- States (except Alabama)
- Puerto Rico

Each eligible applicant must designate one State Administrative Agency (SAA) to serve as the applicant for HHPD funding.

Subrecipient Eligibility

Eligible subrecipients may include:

- Local governments
- State agencies
- Tribal nations
- Non-profit organizations

Eligible subrecipients must meet these requirements:

- Eligible subrecipients are non-federal governmental organizations (other than the designated applicant) and nonprofit organizations. They must receive funds directly from the SAA.
- They must follow the state dam safety program requirements, and the dam must be regulated by the state. All project activities must be approved by the state dam safety agency. Engineering studies, plans, and design drawings and specifications must be approved, signed, and stamped by a qualified design professional registered in the state in which the project is located.
- The community in which the dam is located must participate in the National Flood Insurance Program, follow all its regulations, and be in good standing (not on probation, suspended, or withdrawn.)
- Provide a floodplain management plan to reduce the impacts of future flood events from a controlled or uncontrolled release from the dam or management of water levels in the area impacted by the dam.
    - Removal project floodplain management plans must be in place and identify areas that would be impacted by the removal of the dam and include a communication and outreach plan for the project and the impact of the project on the affected communities.
    - Rehabilitation project floodplain management plans will be developed not later than two years after the date of execution of a project agreement for assistance and implemented not later than two years after the date of completion of construction of the project.
- Provide an assurance from the dam owner, with respect to the dam to be rehabilitated, that the

dam owner will carry out a plan for maintenance of the dam throughout the expected life of the dam.

- Demonstrate how the project will achieve as close to a 4:1 benefit to cost ratio as possible.
- Demonstrate how the project will address national-level risk that aligns with Executive Order (EO) 14239 (March 18, 2025), Achieving Efficiency Through State and Local Preparedness.

B. Project Type Eligibility

Allowable Project Types

- Planning activities - Planning activities include investigations and risk assessments that further define the dam risk;
- Design activities - Design activities include work to develop conceptual, preliminary or final design plans and specifications for dam rehabilitation projects that have been planned; or
- Construction activities - Construction activities include repair, rehabilitation and removal of dams.

Unallowable Project Types

- Rehabilitation of a federal dam;

C. Requirements for Personnel, Partners, and Other Parties

Subrecipients should not include foreign nationals or noncitizens. If a subapplicant/subrecipients has foreign nationals, they must be properly vetted and must adhere to all government statues, polices, and procedures including “staff American, stay in America” and security requirements.

Subapplicants/subrecipients must submit short bios and resumes. This should include the type of entity, organizational leadership, and board members along with both the names and addresses of the individuals. Resumes are subject to approval.

D. Maximum Number of Applications

One per applicant.

E. Additional Restrictions

All activities must be in conformance with all applicable federal, state, tribal, local floodplain and land use laws; criteria established by FEMA that are specific to the proposed activity, found in the Version 2.1 of the HMA Program and Policy Guide (HMA Guide) and the Rehabilitation of High Hazard Potential Dams Grant Program Guidance; and aligned with the current administration and program priorities and policy factors.

Applicants are required to have a FEMA approved state or tribal (standard or enhanced) hazard mitigation plan in accordance with 44 C.F.R. Part 201 by the application deadline and at the time of obligation of the award. The approved hazard mitigation plans must include all dam risks and comply with the Disaster Mitigation Act of 2000 (Public Law 106-390; 114 Stat. 1552).

Subapplicants are required to have a FEMA approved local or tribal hazard mitigation plan in accordance with 44 C.F.R. Part 201 at the time of scope of work submittal and approval. The approved hazard mitigation plan must include all dam risks and comply with the Disaster Mitigation Act of 2000 (Public Law 106-390; 114 Stat. 1552).

The hazard mitigation plan requirements in this NOFO supersede requirements in the Rehabilitation of High Hazard Potential Dams Grant Program Guidance (FEMA, June 2020) and the FEMA Policy 104- 008-7 for determining if the plan meets the requirement to address all dam risks.

Recipients/subrecipients, and if applicable, applicants/subapplicants, are required to certify their compliance with federal statues, DHS directives, policies, and procedures.

F. References to Other Eligibility Factors

Please see the following references provided below:

1. "Threshold Review Criteria" subsection
2. "Financial Integrity Criteria" subsection
3. "Supplemental Financial Integrity Criteria and Review" subsection
4. FEMA may request financial information such as the Employer Identification Number (EIN) and bank information as part of the potential award selection. This will apply to everyone who benefits from the award, including subrecipients.

G. Cost Share Requirements

Applicants, and if applicable, subrecipients, selected for this award must commit to an acceptable cost share agreement. Otherwise, they will not be funded.

H. Cost Share Description, Type, and Restrictions

FEMA calculates the non-federal cost share contribution based on the total cost of the proposed activity. The non-federal cost share may consist of cash, donated or third-party in-kind services, materials, or any combination thereof, as defined in 2 C.F.R. § 200.306. Cash and third-party in-kind matches must consist of eligible costs (i.e., same eligibility as the federal share). Applicants cannot apply other federal award funds toward the non-federal cost share unless the other federal statutory authority allows the funds to be used to meet cost share requirements. FEMA encourages innovative use of public and private-sector partnerships to meet the non-federal cost share.

Funding cannot be used as matching funds for another federal award. Additionally, third-party in-kind matches used to meet the matching requirement may not be used to meet matching requirements for any other federal program.

Generally, the cost share for this program is up to 65% federal and 35% non-federal. Exceptions are as follows:

A community with a population of less than 50,000 that has a median household income of less than 80% of the statewide median household income may not be subject to the 35% cost share. The SAA administering the grant for each recipient will determine the cost share for subrecipients that qualify for a cost share less than 35% as defined in the Water Resources Development Act.

I. Cost Share Example

If the total cost of the activity is $300,000 and the non-federal cost share is 35%, then the non-federal contribution is $105,000 (35% of $300,000 is $105,000). This amount would be provided by the applicant. Likewise, the federal share of that activity would be $195,000 (65% of $300,000 is $195,000). This amount would be provided by FEMA.

J. Required Information for Verifying Cost Share

To meet cost share requirements, the non-federal contributions must be verifiable, reasonable, allowable, allocable and necessary under the federal program, and compliant with all federal requirements and regulations.

The applicant must ensure they provide the correct cost share for their actual project costs. If the actual project costs are higher than the estimated costs in the federal award, the applicant will not receive extra federal funding. If the actual project costs are lower than the estimated costs, the applicant must maintain the minimum required cost share.

Applicants, and if applicable subapplicants, should submit the following cost share (or match) documents:

- Budget narrative

Please see the "Application Format and Contents" section for more details.

Maintenance of Effort

Not applicable.

Program Description

A. Program Purpose

The Rehabilitation of High Hazard Potential Dams (HHPD) grant program provides federal funds to eligible states for pass through to non-federal government or nonprofit organizations to repair, rehabilitate or remove eligible high hazard potential dams that do not meet minimum state dam safety standards and pose serious risk to life and property.

Rehabilitating high hazard dams is increasingly important for maintaining and protecting U.S. infrastructure. An U.S. Army Corps of Engineers analysis indicates that dam rehabilitation could avoid up to $12 in future disaster costs for every one dollar invested.

B. Goals and Objectives

The goal for Rehabilitation of High Hazard Potential Dams is to reduce or eliminate risks from eligible high hazard potential dams while addressing national-level risk that aligns with EO 14239. The HHPD program helps states reach this goal by incentivizing them to:

- Repair, remove or rehabilitate eligible high hazard potential dams;
- Use risk-informed analysis and decision making in their dam safety practice and HHPD-funded

projects;
- Address at least one national-level risk that aligns with EO 14239;
- Include information from risk analyses and consider all dam-related risk when planning for hazard mitigation at the state, local, tribal, and territorial levels;
- Promote community mitigation and preparedness by requiring recipients to provide floodplain management plans that address dam risks and include:
    - Potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse effects of flooding in the area protected by the project;
    - Plans for flood fighting and evacuation; and
    - Public and education and flood risk communication for communities within the inundation area.

C. Performance Measures and Targets

Objective	**Eligible Activities Examples**	**Performance Measures**	**Target**
1. Reduce or eliminate risk of eligible high hazard potential dams	1.1 Planning tasks and activities, studies and analysis for pre-construction phases, scoping activities, and permit applications.	1.1 Number of completed studies and analysis for pre-construction phases, scoping activities, and permit applications for eligible high hazard potential dams.	1.1 Completion of all activities included in approved scope of work
	1.2 Preliminary and final design package and required permit approvals	1.2 Number of preliminary and final engineering design packages and permits for high hazard potential dams.	1.2 Completion of all activities included in approved scope of work
	1.3 Construction activities that support dam rehabilitation or removal projects.	1.3 Number of construction projects for dam rehabilitation or removal for eligible high hazard potential dams.	1.3 Completion of all activities included in approved scope of work

D. Federal Assistance Type

Grant

E. Program-Specific Unallowable Costs

1. Perform routine operation or maintenance of a dam;
2. Modify a dam to produce hydroelectric power;
3. Increase water supply storage capacity; or
4. Make any other modification to a dam that does not also improve the safety of the dam.

Note: The above may not be exhaustive. Please consult the applicable terms and conditions and with

FEMA for more information.

F. 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 (see 2 C.F.R. § 200.403(h)).

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

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

G. Prohibition on Covered Equipment or Services

FEMA provides additional resources regarding the prohibition on covered telecommunications equipment and services in its policy titled Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services (FEMA Policy #405-143-1). This policy outlines specific requirements related to the prohibition. Additionally, FEMA's Contract Provisions Guide offers sample language for the required contract provisions.

Recipients, subrecipients, and their contractors or subcontractors must comply with the prohibitions set forth in Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which restrict the purchase of covered telecommunications and surveillance equipment and services. See 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200 for more information.

Prohibition on Covered Foreign Unmanned Aircraft Systems (UAS)

Recipients, subrecipients, and their contractors or subcontractors must also comply with Section 1825 of the American Security Drone Act of 2023, enacted as part of the National Defense Authorization Act for Fiscal Year 2024 (Pub. L. No. 118-31 §§ 1821-33, 41 U.S.C. 3901 note prec.). This provision mandates that, beginning December 22, 2025, no federal funds awarded through a contract, grant, or cooperative agreement, or otherwise made available may be used to procure a covered unmanned aircraft system (UAS) that is manufactured or assembled by a covered foreign entity. Significantly, no funds may be used in connection with the operation of such a drone or UAS. For more information, refer to Public Law 118-31 and OMB Memorandum M-26-02, Ensuring Government Use of Secure Unmanned Aircraft Systems and Supporting United States Producers.

H. Beneficiary and Participant Eligibility

Beneficiary

Not Applicable.

Participant

Not Applicable.

This NOFO and any subsequent federal awards create no rights or causes of action for any beneficiary or participant. Please consult the DHS Standard Terms and Conditions, your awarding agency's terms and conditions, and your awarding documents for more details.

I. Indirect Costs

Indirect costs are allowed for recipients and subrecipients.

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

J. Budget Period

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

K. Pre-Award Costs

Pre-award costs are not allowed.

L. Management and Administration Costs

Management and administrative (M&A) costs are indirect or direct costs, and other administrative expenses that are reasonably incurred in managing an award or subaward. M&A costs are not overhead expenses, but are necessary costs incurred in direct support of the federal award or as a consequence of it.

Recipient Management Costs

A maximum of up to 10% of HHPD funds awarded may be retained by the applicant (referred to as recipients during the award stage), and any funds retained are to be used solely for M&A purposes associated with the HHPD award. Applicant requests for management costs must be included in the state administrative plan.

Subrecipient Management Costs

Subrecipients may also retain a maximum of up to 5% of the funding passed through by the state solely for M&A purposes associated with the HHPD award.

M. Authorizing Authority

National Dam Safety Program Act, as amended, Pub. L. No. 92-367, codified at 33 U.S.C. § 467f-2.

N. Appropriation Authority

Homeland Security and Further Additional Continuing Appropriations Act, 2026, Pub. L. No. 119-86.

Step 2: Get Ready to Apply

In this step

Submission Requirements and Application Deadlines

A. Registration

You must have an active SAM.gov account which includes having a UEI. SAM.gov registration can take several weeks. Begin that process today.

For more detailed instructions for obtaining a UEI number or to register, go to SAM.gov Entity Registration and click “Get Started.” From the same page, you can also click on the Entity Registration Checklist for the information you will need to register.

You must also have an active account with Grants.gov. You can see step-by step instructions see the Quick Start Guide for Applicants.

B. Requesting the Application Package

The application package is accessible in the FEMA Grants Outcomes (FEMA GO) system. To access the system, go to https://go.fema.gov/.

C. Application and Submission Instructions

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

1. Apply for, update, or verify their UEI number and EIN from the Internal Revenue Service;
2. Provide their UEI number in the application;
3. Have an account with login.gov;
4. Register for, update, or verify their SAM.gov account and ensure the account is active before submitting the application;
5. 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 the FEMA GO Startup Guide;
6. Submit the complete application in FEMA GO; and
7. Always maintain an active SAM registration with current information during which the applicant has an active federal award, an application, or plan under consideration by a federal awarding agency. As part of this, applicants must also provide information on an applicant’s immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded federal contracts or federal financial assistance within the last three years, if applicable.

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

D. How to Register to Apply

General Instructions

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

The registration process can take up to four weeks to complete. To ensure an application meets the deadline, applicants are advised to start the required steps well in advance of their submission. Organizations must have a UEI number, EIN, and an active SAM registration.

Obtain a UEI Number

All entities applying for funding, including renewal funding, must have a UEI number.

Obtain Employer Identification Number

In addition to having a UEI number, all entities applying for funding must provide an EIN. The EIN can be obtained from the IRS at Get an employer identification number.

Create a login.gov account

Applicants must have a login.gov account to register with SAM or update their SAM registration. Applicants can create a login.gov account at Create an account.

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 SAM.gov.

Register with SAM.gov

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

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

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, 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.gov registration may need to be involved in this step. For step-by-step instructions, see the 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.

E. Submitting the Final Application

Applicants will be prompted to submit the standard application information, and any program-specific information required in FEMA GO.

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

F. Application Deadline

August 31, 2026, 5 p.m. Eastern Time

G. Pre-Application Requirements Deadline

Not applicable.

H. Post Application Requirements Deadline

Applicants must accept awards within 60 days after award in FEMA GO.

Part 2 Scope of Work packages are due to FEMA no later than December 31, 2026, 5 p.m. Eastern Time.

I. Effects of Missing Deadlines

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

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

Step 3: Write Your Application

In this step

Application Contents and Format

A. Application Requirements

The following forms or information are integrated into the application package in FEMA GO. Applicants should review these forms at SF-424 Family | Grants.gov before applying to ensure they are providing all required information.

1. SF-424, Application for Federal Assistance
2. Grants.gov Lobbying Form, Certification Regarding Lobbying
3. SF-424A, Budget Information (Non-Construction)
   - If construction is permitted under the program, submit SF-424C, Budget Information (Construction), instead of SF-424A
4. SF-424B, Standard Assurances (Non-Construction)
   - If construction is permitted under the program, submit SF-424D, Standard Assurances (Construction), instead of SF-424B
5. SF-LLL, Disclosure of Lobbying Activities

B. Required Documents, Content, and Formatting

Not Applicable.

C. Program-Specific Required Documents and Information

FEMA has a two-part application period for the HHPD grant program. Contact your regional NDSP Program Officer for templates to submit program-specific information. The following program-specific forms or information are required to be submitted in the application.

For Part 1, the State Administrative Agency (SAA) must include the following four documents in the initial application package. Each document must be labeled, numbered, and include the following information at the top:

- State/agency name;
- FY26 HHPD;
- Name and contact information (completing documents); and
- Date.

1. List of eligible high hazard potential dams, including National Inventory of Dams (NID) ID Identifiers, in their state with the application. The SAA or Governor's Authorize Representative (GAR) should sign a statement that the list of eligible high hazard potential dams has been reviewed and approved. *See* List of Eligible High Hazard Potential Dams below, for eligibility requirements and List of Eligible High Hazard Potential Dams Template, see below for an example table template.

2. Proposed overall budget. Optionally, describe HHPD proposed projects and activities as follows:
   a. Project scoping and engineering design, and/or
   b. Construction (clearly indicate if project includes repair, rehabilitation, or removal). Include a

brief project narrative on how the funds will advance the HHPD program priorities and meet performance goals and include:

  i. Proposed Budget; and
  ii. Percent of cost share: Submit the cost share and a summary of in-kind activities (see G. Cost Share Requirements).
  iii. How the project will achieve at least a nearly 4:1 benefit-to-cost ratio, and how the project will address national-level risk as specified in EO 14239.

3. Statement of assurances signed by authorized state official.
   a. Statement that the state hazard mitigation plan includes all dam risk and date of FEMA approval;
   b. Statement that the applicant is able to comply with regulations associated with receipt of federal financial contributions from FEMA;
   c. If Pass-through Entity: Assurance statement that eligible subrecipients will meet all criteria listed in Step 1, Eligibility, A. Eligible Entities; and
   d. Assurance statement that the 35 percent cost share requirement can be met. *See* Step 1**,** Eligibility, G. Cost Share Requirements, for requirements.

4. State Administrative Plan (referred to as the Grants Management Plan in the Rehabilitation of High Hazard Potential Dams Grant Guidance). At a minimum, the State Administrative Plan must include the items listed below:
   a. Designation of the SAA responsible for program administration;
   b. Identification of the State Official responsible for financial and program matters related to the Rehabilitation of High Hazard Potential Dams Grant Program;
   c. Timely submission of HHPD quarterly performance progress reports on approved projects;
   d. Determination of staffing requirements and sources of staff necessary for administration of the program; and
   e. If applicable, the establishment of procedures as a pass-through entity:
      i. Identify, select, and notify potential eligible subrecipients of the availability of the program;
      ii. Ensure that potential eligible subrecipients are provided information on the application process and program eligibility, including the requirement for an approved mitigation plan that includes all dam risks for the jurisdiction where the dam is located, and key deadlines;
      iii. Determine subrecipient eligibility, including the requirement for an approved mitigation plan for the jurisdiction where the dam is located;
      iv. Submit revisions or amendments for FEMA review and approval. *See* Step 6, Award Notices, B. Pass-Through Requirements;
      v. Conduct environmental and floodplain management reviews;
      vi. Establish priorities for selection of projects;
      vii. Process requests for advances of funds and reimbursement;
      viii. Monitor and evaluate the progress and completion of the selected projects;
      ix. Review and approve cost overruns;
      x. Process appeals;
      xi. Provide technical assistance as required to eligible subrecipient(s) and/or jurisdiction

where the dam is located including coordination with State Hazard Mitigation Officer regarding the eligibility requirement to have an approved mitigation plan that includes all dam risks and complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552). For more information on the Mitigation Plan Requirements, see Step 4, F. Merit Review Process; and

xii. Comply with the administrative and audit requirements of 2 Code of Federal Regulations Part 200.

List of Eligible High Hazard Dams

The SAA must submit a list of all eligible high hazard potential dams in their state with the application including all criteria indicated. The SAA must also submit an official assurance statement, signed by the State Dam Safety Officer or Governor's Authorized Representative (GAR), confirming that all dams are regulated by the state dam safety program and meet the following HHPD criteria:

A dam is considered eligible if it meets all of these requirements (as defined in 33 U.S.C. § 467(4)(A)):

1. In general, the term "eligible high hazard potential dam" means a non-Federal dam that—
    a. Is located within a state with a state dam safety program and regulated under that state dam safety program;
    b. Is classified as high hazard potential by the relevant state dam safety agency;
    c. Has an emergency action plan (EAP) that—
        i. is approved by the relevant state dam safety agency; or
        ii. is in conformance with state law and pending approval by the relevant state dam safety agency;
    d. Fails to meet minimum dam safety standards of the state in which the dam is located, as determined by the state dam safety agency; and
    e. Has a condition assessment rating of POOR or UNSATISFACTORY as identified in the National Inventory of Dams (NID) no later than 07/15/2026.
2. Exclusion: The term "eligible high hazard potential dam" does not include—
    a. A licensed hydroelectric dam under a hydropower project with an authorized installed capacity of greater than 1.5 megawatts; or
    b. A dam built under the authority of the Secretary of Agriculture.

Note: Dams with FAIR condition assessment in the NID (with a population at risk (PAR) of greater than 1000) may be eligible for the HHPD program. See List of Eligible High Hazard Dams Template below for more details. Dams with a SATISFACTORY or NOT RATED condition assessment in the NID are not eligible for the HHPD program.

The list of prospective eligible dams will be used to allocate grant funds to the state.

On request, the SAA must provide substantiating documentation to FEMA that documents dams submitted are eligible under the HHPD grant. The requested documentation may include, but is not limited to, copies of the regulatory notices, risk assessments, engineering analyses, etc.

List of Eligible High Hazard Dams Template

The list of dams must be submitted in table format, include NID Data, use the below column row headers, and be signed by the State Dam Safety Agency or GAR:

- Does the state have a state dam safety program?;
- Dam Name;
- NID ID;
- Longitude;
- Latitude;
- Hazard Potential;
- State Approved EAP? (Y/N);
- EAP Date;
- Owner Type;
- Built by United States Department of Agriculture (USDA)/Natural Resources Conservation Service (NRCS)? (Y/N);
- Licensed by Federal Energy Regulatory Commission (FERC)? (Y/N);
- NID Condition Assessment[1];
- Fails to Meet Minimum State Dam Safety Standards;
- Dam has a documented Dam Safety Deficiency?[2];
- Was Dam Safety Deficiency caused by lack of Routine Operation and Maintenance?;
- Was Dam Safety Deficiency caused by Deferred Maintenance?;
- Brief Description of Deficiency; and
- Name of potential eligible subrecipient that has indicated interest in HHPD and is capable of meeting HHPD requirements[3].

D. Post-Application Requirements for Successful Applicants

SAA accepts the funding award after the Part 1 application period and prepares the Part 2 application—a Scope of Work (SOW) package. The package must include:

- A description of how and why the projects were selected for funding;
- A detailed quarterly workplan with milestones;
- An environmental and historical preservation (EHP) checklist; and
- A budget narrative.

For a full checklist of SOW package requirements, contact your regional NDSP Program Officer.

The SAA must submit the SOW package to FEMA during the Part 2 submission period. FEMA will then review the local hazard mitigation plans to make sure they meet program requirements.

[1] FEMA will review the Condition Assessment data reported in the NID to validate a dam's eligibility on July 15, 2026. Dams that meet the NID criteria for POOR or UNSATISFACTORY condition assessments may be eligible to include on the list of eligible high hazard potential dams. Also dams that meet the NID criteria of FAIR and with a PAR greater than or equal to 1,000 may be eligible. On request, the SAA must provide substantiating documentation to FEMA that verify dams submitted are eligible under the HHPD grant. The requested documentation may include, but is not limited to, copies of the regulatory notices, risk assessments, engineering analyses, etc.

[2] Dam Safety Deficiency (Source NID): A load capacity limit or other issue that can result in a failure of the dam or appurtenant structure. It is a characteristic or condition that does not meet the applicable minimum regulatory criteria.

[3] The SAA must contact potential eligible subrecipients to identify entities with an eligible dam who express interest in obtaining a grant for a specific planning or design project and are capable of meeting the requirements of the HHPD grant. (Only fill out this field if the potential entity has been contacted or is the SAA).

HHPD Prioritization Tool

The FEMA project prioritization tool is an excel-based tool developed for the HHPD grant program and is used during Part 2 of the application process. It uses information from the National Inventory of Dams (NID) and other state sources such as inspection reports. The tool helps estimate the chance that a dam could fail due to structural, flood or earthquake risks, based on existing deficiencies. It also estimates how fixing these deficiencies and meeting state standards can reduce the risk of failure.

As part of the HHPD priority system, dams under consideration for funding are placed on a risk matrix. The likelihood of failure (from the FEMA tool) is shown on the vertical axis, and the population at risk (PAR), which may be calculated using the US Army Corps of Engineers Dam Screening Tool (DST) or other method, is shown on the horizonal axis. The FEMA project prioritization tool assists with assessing the risk reduction benefit of proposed projects to support the goals of the program.

If the SAA chooses to be a pass-through entity, the SAA must contact potential eligible subrecipients to identify entities with an eligible dam who express interest in obtaining a grant and can meet the requirements of the HHPD grant. See Step 1, Eligibility, B. Project Type Eligibility, for information on Eligible Activities.

Step 4: Learn about the Award Review Process

In this step

Application Review Information

A. Threshold Criteria

Applicants that do not meet eligibility or application submission requirements will be removed from consideration.

B. Application Criteria

Applications will be reviewed to ensure conformance with all applicable federal, state, local, territorial, and tribal laws; federal environmental and historic preservation laws; executive orders; regulations; policies; the HMA Guide and the Rehabilitation of High Hazard Potential Dams Grant Program Guidance; and requirements of this funding opportunity. Additionally, the following programmatic criteria must be met and will be evaluated during the application review.

Programmatic Criteria for Mitigation Plan Requirement - Applicant

During the application review period for completeness and eligibility, FEMA will validate if the applicant has an approved state mitigation plan that includes all dam risks. For the definition of all dam risk, see Rehabilitation of High Hazard Potential Dams Grant Program Guidance (FEMA, June 2020) Appendix B Definitions. If the applicant's state-approved mitigation plan does not include all dam risks, FEMA will notify the applicant, who can then request an extension to update the plan. Applicants may coordinate with FEMA before the application deadline to review their approved state mitigation plan to make sure it covers all dam risks. All supplemental attachments must be submitted through FEMA GO. For more details, see E. Additional Restrictions.

FEMA will review the applicant's state hazard mitigation plan using the requirements in 44 Code of Federal Regulations Part 201, Mitigation Planning and in the State Mitigation Planning Policy Guide (FEMA, May 2025), which includes specific requirements for addressing all dam risks.

For additional information on all other state mitigation plan requirements and FEMA's review and approval process, see the State Mitigation Planning Policy Guidance (FEMA, May 2025).

Programmatic Criteria for Mitigation Plan Requirement – Eligible Subrecipients

Eligible subrecipients must demonstrate that the tribal or local government (including special districts) responsible for the area where the dam is located has an approved hazard mitigation plan in place when the SAA submits the SOW package to FEMA, and when FEMA approves the SOW package. This plan must cover all dam risks, as defined in Appendix B of the Rehabilitation of High Hazard Potential Dams Grant Program Guidance (FEMA, June 2020). The plan must also comply with the Disaster Mitigation Act of 2000 (Public. L. 106–390; 114 Stat. 1552).

If a nonprofit organizations owns the dam, it must be located in a local jurisdiction with an approved hazard mitigation plan that includes all dam risks and complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552). If the subrecipient is not the same as the local or tribal government responsible for the area where the dam is located, the subrecipient must coordinate with that government to make sure they understand all important dates and deadlines.

FEMA will determine if the mitigation plan covers all dam risks, following the requirements in the Local Mitigation Planning Policy Guide (FEMA, April 2025), for this purpose.

For more information about other local mitigation plan requirements and FEMA review and approval process, see the Local Mitigation Planning Policy Guide (April 2025).

If the dam is located on land managed by a federally recognized tribal government, the tribal mitigation plan must address all dam risks. FEMA will review the plan to make sure it includes each of the following elements:

- Does the plan incorporate existing plans, studies, reports, and technical information for high hazard potential dams?
- Does the plan assess the risk from high hazard potential dams?
- Does the plan set goals to reduce long-term risks and vulnerabilities from high hazard potential dams?
- Does the plan include and prioritize actions to reduce risks from high hazard potential dams?

For additional information on tribal mitigation plan requirements, reference the Tribal Mitigation Plan Review Guide (December 2017).

For more information see Step 1, Eligibility, E. Additional Restrictions.

C. Financial Integrity Criteria

Before making an award, the awarding agency 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 Risk 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. The awarding agency 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, the awarding agency will consider any comments by the applicant.

E. Reviewer Selection

FEMA regional staff review the applications for their applicable regions.

F. Merit Review Process

The review process will be completed in two parts:

Part 1

FEMA reviews applications to make sure they are complete and eligible. After finishing the Part 1 review, FEMA will notify states of funding amounts through the FEMA GO system.

During Part 1, SAAs will submit their applications in FEMA GO. FEMA checks these applications for completeness and eligibility. SAAs must include clearly defined State objectives. Applicants will be evaluated and selected for funding based on the following:

1. The Applicant has the authority and ability to successfully fulfill the requirements of the HHPD program.
2. The dams on the Applicant's list meet the eligibility criteria for high hazard potential dams.
3. The State Administrative Plan must clearly explain the SAA's timelines and milestones for implementing the HHPD grant, the process for selecting eligible subrecipients, and the methods and data used to measure progress toward achieving the program's performance outcomes.
4. FEMA will validate if the Applicant has an approved state mitigation plan that includes all dam risks.
5. FEMA will prioritize applications that contribute to multi-state, regional, or national capabilities, including data centers, nuclear power generation, multi-state agriculture or multi-state water supply, or other such infrastructure or services.
6. FEMA will prioritize applications that outline achieving as close to a 4:1 benefit to cost ratio as possible and address at least one national level risk that aligns with EO 14239.

FEMA may request additional information from the Applicant during the review period.

Part 2

The SAA accepts the funding award and prepares a SOW package. This package must include:

- A narrative explaining how and why the projects were chosen for funding;
- A detailed quarterly workplan with milestones;
- An EHP checklist; and
- A budget narrative.

For a full checklist of SOW package requirements, contract your regional NDSP Program Officer.

The SAA must submit the SOW package to FEMA for review during the Part 2 submission period. FEMA will review the local hazard mitigation plan to make sure it meets program requirements.

G. Final Selection

Prior to making an award, FEMA will evaluate applicants to determine the level of risk when there is a history of failure to comply with general or specific terms and conditions of a federal award, or failure to meet the expected performance goals. If FEMA determines that a federal award will be made, special conditions that correspond to the degree of risk assessed may be applied to the award.

FEMA retains discretion to make an award based on the current administration, agency and program priorities, and policy factors.

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. No further action is needed if you do not find a contact for your state in the latest version of the SPOC list.

Note: This requirement does not apply to tribal governments.

Step 5: Learn What Happens After Award

In this step

Award Notices

A. Notice of Award

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

By applying, 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 in FEMA GO. Award packages include an Award Letter, Summary Award Memo, Agreement Articles, and Obligating Document. An award package notification email is sent by 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 in the FEMA GO system.

Funds will remain on hold until the recipient accepts the award in 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

Recipients and subrecipients are required to meet standard pass-through requirements under 2 Code of Federal Regulations (C.F.R.) Part 200 and as noted in the funding opportunity.

Awards made to the SAA for the HHPD program have additional requirements for passing funds on to eligible subrecipients. “Pass-through” means the SAA must make these funds available to eligible subrecipients. There are five requirements for pass-through grant funds:

1. The SAA must submit a SOW package to FEMA for approval. This package must describe the budget and project scope for each eligible subrecipient, in accordance with 2 C.F.R.§ 200.308.
2. The SAA must make a firm written commitment to provide grant funds to the subrecipients.
3. The SAA’s commitment must be unconditional (not dependent on SAA funds being available).
4. There must be written proof of this commitment (such as award document, terms, and conditions).
5. The SAA must tell the subrecipient about the award terms, including the requirement for an approved local or tribal mitigation plan (as required by 44 Code of Federal Regulations. Part 201 Mitigation Planning) that covers all dam risks for the area where the dam is located.

Timing an Amount

The SAA must pass-through the HHPD subaward to eligible subrecipients within 90 calendar days after receiving the funds. “Receipt of the funds” occurs when the FEMA GO system has released the financial hold on the award, following FEMA approval of the SOW package. The SAA will be notified of this release through the FEMA GO system.

C. Note Regarding Pre-Award Costs

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

D. Obligation of Funds

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

Funds will not be made available for obligation, expenditure or drawdown until the applicant's budget (to include Indirect Cost Agreement, if applicable) and budget narrative have been approved by FEMA, the grant award accepted by the recipient, and the EHP review has been completed.

E. Notification to Unsuccessful Applicants

Unsuccessful applicants will be notified through FEMA GO.

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.

Pursuant to the preliminary injunction order issued on July 10, 2026, in the City of Fresno et al. v. Mullin, et al., No. 3:26-cv-01535-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.

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.

Termination of a Federal Award

The termination 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.

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:

1. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.
2. 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.
3. 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.
4. 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.

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:

1. If the subrecipient fails to comply with the terms and conditions of the federal award.
2. 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.
3. If the pass-through entity's award has been terminated the pass-through recipient must terminate its subawards.

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.

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.

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.

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.

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.

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.

Pursuant to the preliminary injunction order issued on July 10, 2026, in the City of Fresno et al. v. Mullin, et al., No. 3:26-cv-01535-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: 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.

Note: 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 per 2 C.F.R. § 200.303(e).

C. Financial Reporting Requirements

Recipients must report obligations and expenditures through a federal financial report. The Federal Financial Report (FFR) form, also known as SF-425, is integrated in FEMA GO but, for reference, is available online at Post-Award Reporting Forms.

Recipients must submit the FFR quarterly throughout the period of performance (POP) as detailed below:

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

The final FFR is due within 90 calendar days after the end of the POP.

FEMA may withhold future federal awards and cash payments if FFRs are not timely, complete, detailed, and accurate. FFRs showing inadequate progress may also cause future federal awards and cash payments to be withheld. For more information on financial reporting requirements, refer to 2 CFR § 200.339 and the Rehabilitation of High Hazard Potential Dams Grant Program Guidance, 7.5 Reporting Requirements.

D. Programmatic Performance Reporting Requirements

1. A Performance Progress Report must be submitted quarterly throughout the POP, including partial calendar quarters, as well as for periods where no award activity occurs.
2. A Performance Progress Report must include

   a. percentage of work completed on activities and deliverables funded by this grant.
   b. explanation of how your project is addressing national-level risks aligned with EO 14239
   c. explanation of how your project can achieve a nearly 4:1 benefit to cost ratio.
3. The Performance Progress Report must be submitted through FEMA GO.
4. Performance Progress Report Due Dates are as detailed below:

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

For more information on performance reporting requirements, refer to the Rehabilitation of High Hazard Potential Dams Grant Program Guidance, 7.5 Reporting Requirements.

While complying with all applicable regulatory and policy requirements, FEMA will conduct post-award monitoring to assess recipient and subrecipient progress toward the performance measures and targets identified in this NOFO. Monitoring may include FEMA-led or expert-led inspections, technical reviews, documentation reviews, site visits, milestone validation, and closeout review. FEMA will not rely solely on recipient self-reporting through the Performance Progress Report to verify project performance. FEMA may provide additional programmatic guidance in the award package or post-award materials regarding inspection procedures, documentation expectations, milestone validation, and the application of performance measures and targets.

Recipients and subrecipients demonstrating strong performance may be eligible for streamlined administrative requirements, reduced monitoring burden, or other administrative efficiencies, as determined by FEMA and consistent with applicable requirements. Recipients or subrecipients whose performance is deemed insufficient may be subject to more frequent inspections, milestone-based funding or reimbursement, required technical assistance, corrective action plans, additional documentation requirements, and additional award conditions until FEMA determines that performance has improved.

E. Closeout Reporting Requirements

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

1. The final request for payment, if applicable.
2. The final FFR.
3. The final progress report detailing all accomplishments.
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 the awarding agency 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(e); 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 the awarding agency 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.

F. Additional Reporting Requirements

When a significant development that could impact the award occurs between quarterly progress report due dates, the recipient, and if applicable, the subrecipient must notify FEMA. Significant developments include:

- Events that enable meeting milestones and objectives sooner or at less cost than anticipated;
- Events that produce different beneficial results than originally planned;
- Problems, delays, or adverse conditions that impact the ability to meet milestones or award objectives.

If a significant development negatively impacts the award, information must be included on corrective action and any assistance needed to resolve the situation.

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

G. Disclosing Information per 2 C.F.R. § 180.335

Before entering into a federal award, the applicant must notify the awarding agency if it knows that the applicant or any of the principals (as defined by 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 2 C.F.R. § 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 the awarding agency 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.

H. 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 million 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 (b) of Appendix XII;
2. The required reporting frequency is described in paragraph (d) of Appendix XII.

I. Single Audit Reports

A recipient expending $1 million 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.

J. 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.

K. Program Evaluation

Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115-435 (2019), 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 allowed and may not be charged to the federal award.

L. Payment Information

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

Instructions to Grant Recipients Pursuing Payments

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

Processing and Payment Timeline

FEMA must comply with regulations governing payments to grant recipients per 2 C.F.R. § 200.305. For grant recipients other than States, 2 C.F.R. § 200.305(b)(3) stipulates that FEMA is to make payments on a reimbursement basis within 30 days after receipt of the payment request, unless FEMA reasonably believes the request to be improper. For state recipients, 2 C.F.R. § 200.305(a) instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreement

("Treasury-State agreement") and default procedures codified at 31 C.F.R. part 205 and Treasury Financial Manual 4A-200, "Overall Disbursing Rules for All Federal Agencies."

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

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

Submission Process

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

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

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

[4] 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 DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" 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, the term will immediately become effective.

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

Other Information

A. Period of Performance Extension

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

B. 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 Environmental Planning and Historic Preservation (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, either new construction 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, and historic properties; submitting a detailed project description with supporting documentation to determine whether the proposed project has the potential to impact EHP resources; and, identifying mitigation measures, alternative courses of action, or both that may lessen impacts to those resources.

FEMA is sometimes required to consult with other regulatory agencies and the public 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

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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 DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" 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, the term will immediately become effective.

Pursuant to the preliminary injunction order issued on October 31, 2025, in *City of Seattle v. Trump, et al.*, No. 2:25-cv-01435-BJR (W.D. Wa.), the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act " 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, the term will immediately become effective.

Pursuant to the preliminary injunction order issued on July 10, 2026, in the City of Fresno et al. v. Mullin, et al., No. 3:26-cv-01535-WHO (N.D. Cal.), the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act " 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, the term 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 any of these preliminary injunctions are stayed, vacated, or extinguished.

measures, alternative courses of action, or both to lessen impacts to EHP resources and bring the project into EHP compliance. If a proposed project has been evaluated by another federal agency, FEMA may be able to streamline portions of the EHP review by adopting or supplementing previous analyses performed under the National Environmental Policy Act. If a proposed project has previously been reviewed by another federal agency, please provide those documents for FEMA's consideration.

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.

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

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

Through this funding opportunity, FEMA is giving initial public notice of opportunities that may be funded under the grant program, consistent with the requirements of Section 9.8. The public is invited to participate in the process of identifying alternatives to locating a proposed project in the floodplain or wetland and analyzing the impacts of the alternatives on the floodplain or wetland. Comments may be provided by emailing FEMA-OEHP-NOFOQuestions@fema.dhs.gov within 15 days of grant selections. While analyzing alternatives, FEMA may determine there are no practicable alternatives to carrying out the proposed work within the floodplain or wetland. Relocating facilities may not be practicable and could adversely impact affected communities.

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

C. Procurement Compliance

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). The Procurement Under Grants Policy Guide (PUGPG) and additional resources can be found on the PDAT website at Procurement and Contracting.

When conducting procurement transactions under a federal award, states, Indian Tribes, the District of Columbia, U.S. territories, and their agencies must follow their own documented procurement policies and procedures as outlined in 2 C.F.R. § 200.317. They are also required to comply with rules for domestic preferences (2 C.F.R. § 200.322), the use of recovered materials (2 C.F.R. § 200.323), and ensure all necessary contract provisions are included (2 C.F.R. § 200.327). If these entities do not have documented procurement policies or procedures, they must follow the federal procurement rules listed in 2 C.F.R. §§ 200.318–200.327.

Note: Indian Tribes are exempt from the recovered materials requirements in 2 C.F.R. § 200.323.

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. §§ 200.318–200.327.

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.

Threshold Increases Effective October 1, 2025

Effective October 1, 2025, the United States Office of Management and Budget increased the Federal micro-purchase threshold from $10,000 to $15,000 and the Federal simplified acquisition threshold from $250,000 to $350,000. These updated thresholds now apply to recipient and subrecipient activities under 2 C.F.R. Part 200, including procurements and budget approval requests executed on or after October 1, 2025, for all open financial assistance awards.

Procurement Standards: Competition and Conflict of Interest

All procurement transactions under a federal award must provide for full and open competition. To ensure compliance, recipients and subrecipients must avoid practices that restrict competition. Examples of restrictive practices include, but are not limited to:

- Placing unreasonable requirements on firms to qualify to do business;

- Requiring unnecessary experience or excessive bonding;
- Engaging in noncompetitive pricing practices between firms or affiliated companies;
- Awarding noncompetitive contracts to consultants on retainer;
- Specifying only a "brand name" product instead of allowing "an equal" product to be offered; and
- Taking arbitrary actions during the procurement process.

Real Conflict of Interest

Under 2 C.F.R. § 200.318(c)(1), local government and nonprofit recipients or subrecipients must maintain written standards of conduct to address conflicts of interest. Employees, officers, or agents involved in the selection, award, or administration of contracts are prohibited from participating if they have a real or apparent conflict of interest. A conflict arises when the individual, their immediate family, partner, or an organization they are affiliated with has a financial or other interest in, or stands to benefit from, a firm considered for a contract.

Additionally, officers, employees, and agents may not solicit or accept gratuities, favors, or anything of monetary value from contractors or subcontractors. However, recipients or subrecipients may establish standards for situations where the financial interest is not substantial, or the gift is an unsolicited item of nominal value. Violations of these standards must result in disciplinary actions as outlined in the recipient's or subrecipient's policies.

Organizational Conflict of Interest

Under 2 C.F.R. § 200.318(c)(2), recipients or subrecipients with a parent, affiliate, or subsidiary organization that is not a state, local, tribal, or territorial (SLTT) government must maintain written standards of conduct to address organizational conflicts of interest. An organizational conflict of interest occurs when a relationship with a parent company, affiliate, or subsidiary compromises, or appears to compromise, the recipient's or subrecipient's impartiality in conducting a procurement action.

Recipients or subrecipients must disclose any potential organizational conflicts of interest in writing to FEMA or the pass-through entity, as required by FEMA policy.

Contractors Drafting Requirements

Per 2 C.F.R. § 200.319(b), contractors that develop or draft specifications, statements of work, invitations for bids, or requests for proposals are prohibited from competing for those procurements. FEMA considers this an organizational conflict of interest and extends this restriction to contractors who assist recipients or subrecipients in developing grant applications, project plans, or budgets.

This prohibition also applies to former employees who worked on such activities while employed by the recipient or subrecipient. Unless the recipient or subrecipient solicits and awards a contract that explicitly includes both the development and execution of specifications (or similar elements), and the contract was procured in compliance with 2 C.F.R. §§ 200.317–200.327, federal funds cannot be used to pay the contractor to perform the work. This rule applies to all contracts funded with federal grant funds, including pre-award costs (e.g., grant writer fees) and post-award costs (e.g., grant management fees).

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 on General Services Administration programs, including multiple award schedules, for states, Indian Tribes, and local governments, and their instrumentalities, can be found in Purchasing Resource and Support for State and Local Government.

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. These records must include, but are not limited to, 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 C.F.R. §200.403(g).

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

- Solicitation documentation, such as requests for quotes, invitations for bids, or requests for proposals;
- Responses to solicitations, such as quotes, bids, or proposals;
- Pre-solicitation independent cost estimates and post-solicitation cost/price analyses on file for review by federal personnel, if applicable;
- Contract documents and amendments, including required contract provisions; and
- Other documents required by federal regulations applicable at the time a grant is awarded to a recipient.

D. Buy America Preference Requirements 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 project are produced in the United States.

Recipients and subrecipients provided funds under this program for an infrastructure project must comply with FEMA's implementation requirements of the Build America, Buy America Act, as detailed in FEMA's Buy America Preference Policy. 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.

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

For more information about FEMA's implementation of the Buy America Preference, please visit FEMA's Buy America Preference webpage at Programs and Definitions: Build America, Buy America Act | FEMA.gov.

Waivers

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

A waiver of the domestic content procurement preference may be granted 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.

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.

E. Mandatory Disclosures

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

F. 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.

G. Record Retention

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 per 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.

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

H. 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.

I. Audits

FEMA grant recipients are subject to audit oversight from multiple entities including the DHS Office of Inspector General (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.

J. Extraordinary Circumstances

Applicants and subrecipients must have a current FEMA approved hazard mitigation plan by the application deadline and at the time of obligation of the award. Hazard mitigation plans that are approvable pending adoption are not sufficient.

If an HHPD applicant or subrecipient has an approved state mitigation plan but it does not include all dam risks, the applicant or subrecipient can request a 12-month extension to update the plan. The updated plan must be reviewed and approved by the FEMA Regional Administrator within this time period.

To request an extension, the applicant or subrecipients must submit a written request. The request must confirm that the updated mitigation plan will be approved within 12 months from the date FEMA approves the grant's scope of work (SOW) package. The written request:

1. Explain what resources will be used to update the FEMA-approved mitigation plan to include all dam risks; and
2. Provide schedule and milestones showing the plan will be approved by FEMA within 12 months of the date FEMA approves the recipient grant. The updated plan must be submitted to FEMA at least 45 days before the 12-month deadline to allow time for review, revisions and approval.

FEMA will notify the SAA in FEMA GO 30 days of the 12-month deadline from the date of the grant approval. If the SAA cannot meet the deadline to have a FEMA-approved mitigation plan that includes all dam risks, it must provide a written explanation in FEMA GO the deadline, describing the reasons for delay and any relevant circumstances.

If the SAA does not meet the 12-month deadline for updating the mitigation plan under the extraordinary circumstances provision, FEMA may terminate the grant award.

Templates for an extension to the mitigation plan requirement using the extraordinary circumstances provision are available in Appendix 2.

K. Integrating Hazard Mitigation and Planning

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

Alignment with SLTT planning mechanisms (economic development, housing, comprehensive plans, transportation plans, building codes, floodplain ordinances, etc.) is vital to building safer, more resilient communities. This two-way exchange of hazard mitigation principles, risk and vulnerability assessments, and hazard mitigation strategies supports risk reduction, both before and after disasters occur. SLTT planning efforts are better integrated through this process, and a higher level of interagency coordination is achieved, which is equally as important as the planning mechanisms themselves. Additional information on hazard mitigation planning policies, training, and planning integration can be found at the FEMA Implement, Integrate and Maintain Mitigation Planning Activities and the American Planning Association Hazards Planning.

L. Request for Information

To ensure faster obligations after selection, FEMA will request additional information in the form of a formal request for information (RFI) if a subapplication does not meet the administrative or procedural information requirements. Applicants are responsible for coordinating with the subapplicant to obtain the required information. Failure to provide the requested information by the final deadline identified in the request may result in denial if eligibility cannot be determined. Further details on the HMA RFI process and timelines may be found in the HMA Guide, Part 6, G. Requests for Information.

Contacts and Appendices

Contacts

A. Program Office

General questions about the program can be directed to the appropriate FEMA Regional Office.

FEMA publications that specify the documentation and information necessary for FEMA to review project applications for feasibility and effectiveness, cost-effectiveness, and potential impacts on environmental and cultural resources are available at Tools to Assist with FEMA Grants.

B. FEMA Grants News

FEMA Grants News 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 is reachable at fema-grants-news@fema.dhs.gov or (800) 368-6498, Monday through Friday, 9 a.m. – 5 p.m. ET.

C. 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. Procurement Under Grants Division

The Procurement Disaster Assistance Team (PDAT) and Buy America Branch (BAB) within GPD's Procurement Under Grants Division offer technical support to ensure compliance with federal procurement and domestic preference standards for FEMA awards. You can reach PDAT at fema-gpd-pdat@fema.dhs.gov and BAB at fema-grants-buyamerica@fema.dhs.gov. When reaching out, please include your FEMA grant program point of contact for reference.

E. 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 Regions, States and Territories.

F. 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-ocr@fema.dhs.gov.

G. Environmental Planning and Historic Preservation

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

H. Payment and Reporting

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

I. FEMA GO

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

J. Hazard Mitigation Assistance Program and Policy Guide

Recipients seeking guidance on policies and procedures for managing hazard mitigation assistance grants should reference the applicable Hazard Mitigation Assistance Program and Policy Guide (HMA Guide). The HMA Guide is regularly updated as new regulatory and statutory are published.

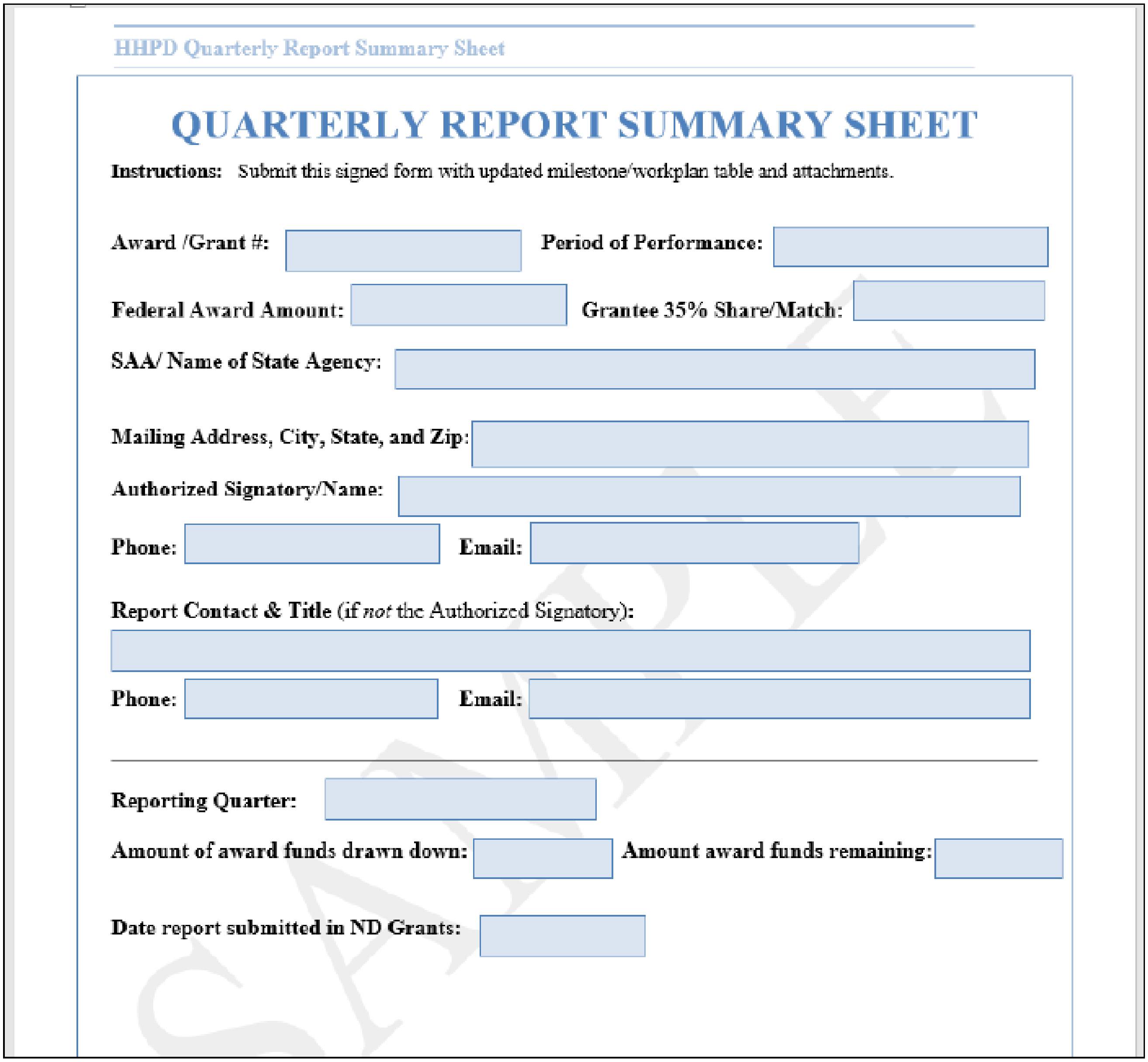
K. Rehabilitation of High Hazard Potential Dams Grant Program Guidance

Recipients seeking guidance on policies and procedures for the National Dam Safety Program High Hazard Potential Dams grant program should reference the applicable Rehabilitation of High Hazard Potential Dams Grant Program Guidance.

Appendices

Appendix I

APPENDIX 1A: PERFORMANCE PROGRESS REPORT (PPR) TEMPLATE: PART 1 SUMMARY SHEET PPR Templates are available through your Regional Program Office



HHPD Quarterly Report Summary Sheet

QUARTERLY REPORT SUMMARY SHEET

Instructions: Submit this signed form with updated milestone/workplan table and attachments.

Award /Grant #: **Period of Performance:**

Federal Award Amount: **Grantee 35% Share/Match:**

SAA/ Name of State Agency:

Mailing Address, City, State, and Zip:

Authorized Signatory/Name:

Phone: **Email:**

Report Contact & Title (if *not* the Authorized Signatory):

Phone: **Email:**

Reporting Quarter:

Amount of award funds drawn down: **Amount award funds remaining:**

Date report submitted in ND Grants:

APPENDIX 1B: PERFORMANCE PROGRESS REPORT (PPR) TEMPLATE: PART 2 PERFORMANCE METRICS TARGETS PPR Templates are available through your Regional Program Officer

FY24 HHPD Workplan and Quarterly Reporting

Person completing this worksheet:

Date completed:

State Agency:

HHPD Project POC:

Award#:

Period of Performance

Instructions: Column C is the list of FEMA approved activities and deliverables in your workplan.
Report and validate actual % completed in ACTUALS column.

			Period of Performance																
			Oct-Dec 22		Jan-March 23		Apr-June 23		July-Sept 23		Oct-Dec 23		Jan-March 23		Apr-June 23		July-Sept 23		
			Q1		Q2		Q3		Q4		Q5		Q6		Q7		Q8		
			Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	NOTES:
Quarterly Progress Reports due				1/30/2023		4/30/2023		7/30/2023		10/30/2023		1/30/2024		4/30/2024		7/30/2024		10/30/2024	
Enter ALL Deliverables and Milestones per FEMA approved Scope																			
	Subrecipient / Project ______	Performance Metric (Drop down)																	Provide narrative on issues/ challenges and plan to complete
1	Ex: Alternatives Analysis	1.1 Planning and Analysis	0%		0%		10%		40%		80%		100%						
2	Ex: Rehabilitation Design	1.2 Preliminary or Final Design																	
3																			
4																			
5																			
Activity ######																			
1																			
2																			
3																			
4																			
5																			
Product ##																			
1																			
2																			
3																			
4																			
5																			
1																			
2																			
3																			
4																			
5																			

Appendix 2

Example Mitigation Plan EC Request Template

Mitigation Plan Extraordinary Circumstances Request - Applicant Template (States)
[Appropriate Regional Administrator]

Federal Emergency Management Agency
Region [#]
[*Office Address Street*]
[*Office City, State Zip*]

Submitted via FEMA GO

Reference: Request approval of 12-month extension to update the approved mitigation plan under "Mitigation Plan Extraordinary Circumstances" to receive funding under the *Rehabilitation of High Hazard Potential Dams Grant Program*

Dear (*Insert Name*):

The [*insert Applicant name]* in consultation and coordination with *[insert name of agency/ies responsible for updating the approved local or tribal mitigation plan* (*compliant with 44 C.F.R. Part 201 and Local Mitigation Planning Policy Guide (FEMA, April 2025) or subsequent update or Tribal Mitigation Plan Review Guide (December 2017)) either for the subrecipient or for the jurisdiction where the dam is located*] requests approval for the Mitigation Plan Extraordinary Circumstances extension as stated on page [*Insert page number*] of the Rehabilitation of High Hazard Potential Dams (HHPD) Grant Program Notice of Funding Opportunity (NOFO).

[For local or tribal mitigation plan(s) where the dam is located that require updates, insert the following text]

With respect to the following local and/or tribal government and/or nonprofit organization subrecipients, I/we have included the documentation requested on page [*Insert page number*] of the NOFO (6.c.) to request an extension to the approved local or tribal mitigation plan requirements (compliant with 44 C.F.R. Part 201 and Local Mitigation Planning Policy Guide (FEMA, April 2025) or subsequent update or Tribal Mitigation Plan Review Guide (December 2017)) for the jurisdiction where the dam is located in order to receive HHPD funding. We understand, if our request is approved, that the following currently approved local and/or tribal mitigation plans for the jurisdiction where the dam is located will need to be updated to address all dam risks in accordance with requirements set forth in the Local Mitigation Planning Policy Guide (FEMA, April 2025), which supersede the requirements set forth in the Rehabilitation of High Hazard Potential Dams Grant Program Guidance (FEMA, June 2020) and the FEMA Policy 104- 008-7 within twelve (12) months from the date FEMA approves the scope of work package in FEMA GO or FEMA may terminate the award or explore other remedies as appropriate as described on page x of the NOFO:

- [Insert list]

If you have any questions, please contact me at [insert phone # and email address].
Sincerely,
[Recipient name, title]; and
[State Hazard Mitigation Officer or state mitigation planner name, title]; and
[Agency Responsible for Updating subrecipient HM Plan where the dam is located name, title]

cc: FEMA Regional Planning Program Point of Contact

Attachments:

- Approach, schedule, and milestones (workplan) for updating approved local or tribal mitigation plan(s) to include all dam risks to include the requirements set forth in the Local Mitigation Planning Policy Guide (FEMA, April 2025), which supersede the requirements set forth in the Rehabilitation of High Hazard Potential Dams Grant Program Guidance (FEMA, June 2020) and the FEMA Policy 104-008-7, including allowing time for FEMA review and approval
- Documentation supporting the determination of Extraordinary Circumstances for each subrecipient