Idaho Office of Emergency Management

2025 Subrecipient Award Agreement

For

Teton County

Federal Award Date
September 3, 2026

Teton County
150 Courthouse Drive
Driggs, ID 83422

Federal Grant Information
2025 Homeland Security Grant Program

Award Identification Number	SHSP25SH4100
Subrecipient Award Name	2025 SHSP
Award Number / CFDA	EMW-2025-SS-05086 / 97.067
Federal Granting Agency	Grant Programs Directorate FEMA, U.S. DHS

Award Amount and Grant Breakdowns

Performance/Budget Period	September 1, 2025 through August 15, 2028
Award Amount (This Action)	$25,997.98
Total Award Amount	$25,997.98
Unique Entity ID	PXZGJCAUA2P6

Requirements: This is not a Research & Development subaward. By accepting this subaward, the Subrecipient certifies compliance with 2 CFR 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and Idaho Code 67-450B (Independent Financial Audits of Local Governmental Entities – Filing Requirements). Subrecipient may charge indirect costs per their federally negotiated indirect cost rate agreement.

Agency Approval:	Authorized Official's Acceptance: I have read and understand the Terms and Conditions.
Signature:	Signature:
[phone redacted] eau Chief mergency Management	Print Name & Title:
	Date:

ber 12, 2026
o IOEM by due date.
Rose *Print Date: September 4, 2026*

FY 2025 State Homeland Security Program (SHSP)

Federal Award No. EMW-2025-SS-05086

MEMORANDUM OF UNDERSTANDING

Between

The State of Idaho, Office of Emergency Management

And

Teton County

1. Parties
The parties to this Memorandum of Understanding (Agreement or MOU) are the State of Idaho, Office of Emergency Management (IOEM) and Teton County, referred to as "Subrecipient."

2. Authority
This Agreement is authorized under the provisions of Title 46, Chapter 10, Idaho Code, and is administered consistent with applicable federal requirements governing the FY 2025 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP).

3. Purpose
The purpose of this Agreement is to establish the terms under which IOEM will administer FY 2025 SHSP funding on behalf of the Subrecipient. FEMA awarded the State of Idaho Military Division $4,362,750 in FY 2025 SHSP funding under Federal Award No. EMW-2025-SS-05086. The amended federal period of performance and budget period is September 1, 2025 through August 15, 2028.

Under this Agreement, the Subrecipient authorizes IOEM, as the State's pass-through entity, to retain funding at the state level and provide project management for the required National Priority Areas investment requirements identified in attachment A. This MOU does not expand the approved scope of work or budget and does not authorize expenditures that are not allowable under the federal award, FY 2025 HSGP Notice of Funding Opportunity (NOFO), applicable federal regulations, FEMA/DHS guidance, or IOEM requirements.

4. Incorporated Requirements and Order of Precedence
The Subrecipient acknowledges that the FY 2025 SHSP subaward is subject to the following, as applicable:
- The FY 2025 HSGP federal award and all approved amendments, including Federal Award No. EMW-2025-SS-05086.
- The FY 2025 HSGP Notice of Funding Opportunity (NOFO).
- The applicable provisions of 2 CFR Part 200 and other applicable federal statutes, regulations, executive orders, and federal award requirements.
- The FEMA Preparedness Grants Manual
- The FY 2025 SHSP IOEM Subrecipient Terms and Conditions.
- The approved SHSP project scope of work and budget established for the Subrecipient.
- Applicable FEMA/DHS guidance and written IOEM grant-management instructions.

If a provision of this MOU conflicts with a controlling federal or state requirement, the controlling requirement governs to the extent of the conflict, and the remaining provisions of this MOU remain in effect.

5. Period of Performance
The federal FY 2025 HSGP amended period of performance and budget period is September 1, 2025 through August 15, 2028. Subrecipient costs must be incurred and activities performed within the period authorized by IOEM for the applicable subaward/project, unless IOEM provides written authorization consistent with the federal award.

6. Approved Scope of Work and Project Authorization
The Subrecipient may use SHSP funds only for the project(s), activities, goods, and services identified in the approved IOEM subaward and project documentation. The Subrecipient must not materially change the approved project, purpose, scope, or budget without obtaining the required prior written approval.

The project-specific information to which this MOU applies shall be identified in Attachment A. Attachment A may be updated through an approved written modification consistent with Section 9 of this MOU.

7. FY 2025 SHSP Funding Requirements

The FY 2025 federal award provides $4,362,750 in SHSP funding to Idaho. The federal award identifies, among other investments, a Subrecipient Pass Through investment of $2,443,140 and specific national priority and program requirements.

The FY 2025 award contains a 30% National Priority Area funding requirement and a 35% Law Enforcement Terrorism Prevention Activities (LETPA) funding requirement.

8. Responsibilities

8.1 IOEM Responsibilities

- Administer the SHSP grant funds on behalf of the Subrecipient consistent with the federal award, approved project scope and budget, this MOU, and applicable IOEM procedures.
- Review project and expenditure documentation for allowability, allocability, reasonableness, necessity, and compliance with applicable award requirements.
- Provide grant-management direction, including requests for documentation, approvals, corrections, and reporting necessary to administer the project.
- Monitor the Subrecipient as required by applicable federal and state requirements and address identified deficiencies or questioned costs.
- Notify the Subrecipient when additional federal or IOEM approval is required before an expenditure, budget change, or project activity may proceed.
- Manage statewide projects aligned with the National Priority Areas described below on the Subrecipient's behalf.
- Authorize reimbursement or advancement of funds based on approved Subrecipient projects accompanied with required documentation.

8.2 Subrecipient Responsibilities

- Designate an authorized official and point of contact for the project.
- Read, understand, and comply with the FY 2025 SHSP IOEM Subrecipient Terms and Conditions and all applicable federal and state requirements.
- Authorize IOEM to administer the approved SHSP National Area Priority projects.
- Ensure that purchases, contracts, activities, and expenditures are necessary, reasonable, allocable, adequately documented, and within the approved scope and budget.
- Follow applicable federal, state, and local procurement requirements and ensure required federal provisions are included in contracts and subcontracts.
- Provide IOEM with complete and accurate documentation requested for procurement, payment, performance, equipment, reporting, monitoring, and closeout.
- Obtain IOEM's prior written approval before making any change that requires approval under the subaward or applicable federal requirements.
- Maintain records and make them available to IOEM, DHS/FEMA, auditors, and other authorized reviewers as required.
- Safeguard equipment and other property purchased with SHSP funds and follow applicable property and disposition requirements.
- Promptly notify IOEM of circumstances that may affect the Subrecipient's eligibility, ability to perform, or compliance with the award.
- Provide all required documentation for advancement or reimbursement of funds in IOEM's grant management system of record (Euna). For any advance, request only the minimum amount necessary to meet actual, immediate cash requirements for an imminent approved expenditure; use advanced funds only for approved budget items and grant purposes; disburse the funds within 30 calendar days of receipt; submit backup payment documentation within 30 calendar days; and promptly notify IOEM if the anticipated payment is delayed. IOEM may withhold future reimbursements until acceptable proof of payment for the advance is provided.

9. Budget, Scope, and Modification Requirements

The Subrecipient must obtain IOEM's prior written approval before making any change to the approved project, scope, budget, or activity when required by the subaward or federal requirements. IOEM will determine whether a proposed change also requires FEMA prior approval.

Any approved modification must be documented in writing. No verbal approval or informal communication shall modify this MOU, the approved scope of work, or the approved budget.

10. Compliance, Monitoring, and Records

The Subrecipient agrees to comply with the FY 2025 SHSP IOEM Subrecipient Terms and Conditions incorporated into this MOU. These requirements include, as applicable, 2 CFR Part 200; financial management; non-supplanting; procurement; Section 889 restrictions; equipment and property requirements; EHP; BABAA; civil rights and accessibility; PII protection; debarment and SAM/UEI requirements; drug-free workplace and lobbying requirements; federal security requirements; performance reporting; monitoring; recordkeeping; closeout; and other applicable federal award requirements.

The Subrecipient must demonstrate how each SHSP-funded project addresses the applicable core capability gap identified through the THIRA, SPR, or otherwise sustains an existing capability. The Subrecipient shall provide information requested by IOEM so that IOEM can accurately report project performance to FEMA.

11. Subrecipient Certification and Acceptance

By signing this MOU, the Subrecipient certifies that its authorized official has reviewed and agrees to comply with this MOU, the FY 2025 SHSP IOEM Subrecipient Terms and Conditions, the approved scope of work and budget, applicable federal requirements, the FY 2025 HSGP NOFO, and applicable IOEM grant-management requirements.

The Subrecipient understands that costs may be denied or required to be returned when they are not allowable, are unsupported, are incurred outside the authorized period, are outside the approved scope or budget, or otherwise fail to comply with applicable award conditions.

Approving Officials

IOEM	**Authorized Official's Acceptance:**
_____ **Signature:** **Ben Roeber, IOEM Bureau Chief** **4040 Guard Street, Bldg. 600** **Boise, ID 83705**	_____ **Signature:** _____ _____ **Print Name & Title:**
Date: _____	**Date: _____**

Other Provisions

Nothing in this Agreement is intended to conflict with current laws or regulations of the State of Idaho or the Subrecipient's jurisdiction. If a term of this Agreement is inconsistent with such authority, that term shall be invalid to the extent of the conflict, but the remaining terms and conditions shall remain in full force and effect.

1. Point of Contact

The point of contact for Teton County regarding emergency management is:
(SUBRECIPIENT CONTACT)

2. Effective Date

This Agreement becomes effective upon signature by the authorized representatives of both parties.

3. Modification

This Agreement may be modified only by mutual written consent of the parties. A project-specific modification may be documented through an approved written amendment or other IOEM-approved grant-management document.

4. Termination

The terms of this Agreement, in its original form or if modified with the consent of both parties, will remain in effect through completion and closeout of the applicable FY 2025 SHSP subaward/project, unless otherwise terminated or superseded in writing in accordance with applicable law, the subaward, federal requirements, or authorized IOEM grant-management procedures.

Termination or expiration of this MOU does not eliminate obligations that survive closeout, including record retention, audit and monitoring access, property accountability, repayment of disallowed costs, and other post-award requirements.

5. State Officials and Employees Not Personally Liable

No State official, employee, or agent shall be personally liable for any covenant or agreement contained in this MOU solely by reason of that person's official position.

6. Sovereign Immunity

Nothing contained in this Agreement shall be construed as a waiver of the State of Idaho's sovereign immunity, which immunity is expressly reserved.

7. Binding Effect

This Agreement is binding upon and will run to the benefit of the parties and their respective successors and assigns to the extent permitted by law.

Attachment A

National Priority Areas

Due to the unique threats that the Nation faces in 2025, five priority areas attract the most concern. As such, DHS/FEMA has determined these five priorities should be addressed by allocating specific percentages of SHSP funds to each of these six areas for a total of 30 percent of Idaho's award. IOEM will ensure sufficient funds are allocated to eligible projects. Where required to meet the priority requirements, IOEM will manage statewide projects with pass-through funding through a Memorandum of Understanding (MOU) with subrecipients.

FY25 National Priority Areas (NPA) Requiring 30% Investment:

a) Enhancing the protection of soft targets/crowded places- no minimum percentage
b) Supporting Homeland Security Task Forces and Fusion Centers – no minimum percentage
c) Enhancing Cybersecurity – no minimum percentage
d) Enhancing Election Security: 3% minimum percentage
e) Supporting Border Crisis Response and Enforcement: – 10% minimum percentage

Although 3 of the 5 NPAs have no minimum investment requirement, 30% of Idaho's award must be applied to the Priority Areas. To satisfy the 80% pass-through of funds to eligible subrecipients (20% of the award remains at the state), and the 30% NPA minimum spend requirements; projects involving the state retaining funds from subrecipients via an MOU were created to maximize the impact of the award for statewide projects. NPA carveout amounts are proportional based on state (20%) and local (80%) shares.

Idaho FY25 SHSP Award: $4,362,750
State Share (20%): $872,550 NPA projects X 30% = $261,765
Subrecipient Share (80%): $3,490,200 NPA projects X 30% = $1,047,060

NPA	Project Type	Subrecipient Share	State Share	Total
Enhancing the Protection of Soft Targets/Crowded Places	7.6%	$290,000 *Pass through to Special Teams*	$41,569 *State Project*	$331,569
Supporting Homeland Security Task Forces and Fusion Centers	9.4% MOU State Responsible	$328,856	$81,242	$410,098
Enhancing Cybersecurity (SLCPG- separate grant)	0.0%	$0	$0	$0
Enhancing Election Security	3.0% MOU State Responsible	$98,816	$32,066	$130,882
Supporting Border Crisis Response and Enforcement	10.0% MOU State Responsible	$329,387 **(opportunity for local projects to be funded)*	$106,887	$436,275.00
Totals:	30%	$1,047,060	$261,765	$1,308,825

STATE OF IDAHO MILITARY DIVISION
IDAHO OFFICE OF EMERGENCY MANAGEMENT

2025 SHSP

TERMS AND CONDITIONS

Federal Award No. EMW-2025-SS-05086

Program	Fiscal Year 2025 State Homeland Security Program (SHSP)
Recipient	STATE OF IDAHO MILITARY DIVISION / Idaho Office of Emergency Management
Federal SHSP Award	$4,362,750.00
Period of Performance	September 1, 2025 – August 15, 2028
Source	FY 2025 HSGP Award, Amendment No. 3

AGREEMENT ARTICLES

Article 1. Assurance, Administrative Requirements, Cost Principles, Representations, and Certifications

Article 2. General Acknowledgements and Assurances

Article 3. Acknowledgement of Federal Funding from DHS

Article 4. Activities Conducted Abroad

Article 5. Age Discrimination Act of 1975

Article 6. Americans with Disabilities Act of 1990

Article 7. Best Practices for Collection and Use of Personally Identifiable Information

Article 8. CHIPS and Science Act of 2022, Public Law 117-167 CHIPS

Article 9. Civil Rights Act of 1964 – Title VI

Article 10. Civil Rights Act of 1968

Article 11. Communication and Cooperation with the Department of Homeland Security and Immigration Officials

Article 12. Copyright

Article 13. Debarment and Suspension

Article 14. Drug-Free Workplace Regulations

Article 15. Duplicative Costs

Article 16. Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Article 17. Energy Policy and Conservation Act

Article 18. Equal Treatment of Faith-Based Organizations

Article 19. Anti-Discrimination

Article 20. False Claims Act and Program Fraud Civil Remedies

Article 21. Federal Debt Status

Article 22. Federal Leadership on Reducing Text Messaging while Driving

Article 23. Fly America Act of 1974

Article 24. Hotel and Motel Fire Safety Act of 1990

Article 25. John S. McCain National Defense Authorization Act of Fiscal Year 2019

Article 26. Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Article 27. Lobbying Prohibitions

Article 28. National Environmental Policy Act

Article 29. National Security Presidential Memorandum-33 (NSPM-33) and provisions of the CHIPS and Science Act of 2022, Pub. L. 117-167, Section 10254

Article 30. Non-Supplanting Requirement

Article 31. Notice of Funding Opportunity Requirements

Article 32. Patents and Intellectual Property Rights

Article 33. Presidential Executive Orders

Article 34. Procurement of Recovered Materials

Article 35. Rehabilitation Act of 1973

Article 36. Reporting Recipient Integrity and Performance Matters

Article 37. Reporting Subawards and Executive Compensation

Article 38. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Article 39. SAFECOM

Article 40. Subrecipient Monitoring and Management

Article 41. System for Award Management and Unique Entity Identifier Requirements

Article 42. Termination of a Federal Award

Article 43. Terrorist Financing

Article 44. Trafficking Victims Protection Act of 2000(TVPA)

Article 45. Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107-56

Article 46. Use of DHS Seal, Logo and Flags

Article 47. Whistleblower Protection Act

Article 48. Environmental Planning and Historic Preservation (EHP) Review

Article 49. Applicability of DHS Standard Terms and Conditions to Tribal Nations

Article 50. Acceptance of Post Award Changes

Article 51. Disposition of Equipment Acquired Under the Federal Award

Article 52. Prior Approval for Modification of Approved Budget

Article 53. Indirect Cost Rate

Article 54. Build America, Buy America Act (BABAA) Required Contract Provision & Self-Certification

Article 55. HSGP Performance Goal

Article 56. Operation Stonegarden Program Hold

Article 57. OPSG Program Performance Goal

Article 58. This article has been removed

Article 59. Non-Applicability of Specific Agreement Articles

Article 60. State Homeland Security Program: Compliance with Federal Immigration Law

Article 61. State Homeland Security Program: Non-Applicability of Specific Terms and Agreement Articles

Article 62. State Homeland Security Program: Impact of San Francisco v. Trump Preliminary Injunction

Article 63. State Homeland Security Program: Impact of State of Illinois v. FEMA Injunction

Article 64. Operation Stonegarden: Non-Applicability of Specific Terms and Agreement Articles

Article 65. Summary Description of Award and Subprograms

Article 66. Period of Performance and Budget Period

Article 67. Amended Period of Performance and Budget Period Pursuant to State of Illinois, et al. v. Kristi Noem, et al. (D.RI) and State of Michigan et al. v. Kristi

Article 68. Amended Award Amount Pursuant to State of Illinois, et al. v. Kristi Noem, et al. (D.RI)

Article 69. This article has been removed

Article 70. This article has been removed

Article 71. Removal of Programmatic and Financial Holds for LETPA and NPA

Article 72. Pass-Through of Funds to Local and Tribal Governments

Article 1 Assurance, Administrative Requirements, Cost Principles, Representations, and Certifications

Assurance, Administrative Requirements, Cost Principles, Representations, and Certifications I. Recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non- Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances, as instructed.

Article 2 General Acknowledgements and Assurances

General Acknowledgements and Assurances Recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in effect as of the federal award date and located in Title 2, Code of Federal Regulations, Part 200 and adopted by DHS at 2 C.F.R. § 3002.10. All recipients and subrecipients must acknowledge and agree to provide DHS access to records, accounts, documents, information, facilities, and staff pursuant to 2 C.F.R. § 200.337. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal award and permit access to facilities and personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements required by law, federal regulation, Notice of Funding Opportunity, federal award specific terms and conditions, and/or DHS Component program guidance. Organization costs related to data and evaluation are allowable. The definition of data and evaluation costs is in 2 C.F.R. § 200.455(c), the full text of which is incorporated by reference. V. Recipients must complete DHS Form 3095 within 60 days of receipt of the Notice of Award for the first award under which this term applies. For further instructions and to access the form, please visit: https://www.dhs.gov/civil-rightsresources-recipients-dhs-financial-assistance.

Article 3 Acknowledgement of Federal Funding from DHS

Acknowledgement of Federal Funding from DHS Recipients must acknowledge their use of federal award funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal award funds.

Article 4 Activities Conducted Abroad

Activities Conducted Abroad Recipients must coordinate with appropriate government authorities when performing project activities outside the United States obtain all appropriate licenses, permits, or approvals.

Article 5 Age Discrimination Act of 1975

Age Discrimination Act of 1975 Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (codified as amended at Title 42, U.S. Code § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article 6 Americans with Disabilities Act of 1990

Americans with Disabilities Act of 1990 Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

Article 7 Best Practices for Collection and Use of Personally Identifiable Information

Best Practices for Collection and Use of Personally Identifiable Information (1) Recipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. (2) Definition. DHS defines "PII" as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article 8 CHIPS and Science Act of 2022, Public Law 117-167 CHIPS

CHIPS and Science Act of 2022, Public Law 117-167 CHIPS (1) Recipients of DHS research and development (R&D) awards must report to the DHS Component research program office any finding or determination of sex based and sexual harassment and/or an administrative or disciplinary action taken against principal investigators or co-investigators to be completed by an authorized organizational representative (AOR) at the recipient institution. (2) Notification. An AOR must disclose the following information to agencies within 10 days of the date/the finding is made, or 10 days from when a recipient imposes an administrative action on the reported individual, whichever is sooner. Reports should include: (a) Award number, (b) Name of PI or Co-PI being reported, (c) Awardee name, (d) Awardee address, (e) AOR name, title, phone, and email address, (f) Indication of the report type: (i) Finding or determination has been made that the reported individual violated awardee policies or codes of conduct, statutes, or regulations related to sexual harassment, sexual assault, or other forms of harassment, including the date that the finding was made. (ii) Imposition of an administrative or disciplinary action by the recipient on the reporting individual related to a finding/determination or an investigation of an alleged violation of recipient policy or codes of conduct, statutes, or regulations, or other forms of harassment. (iii) The date and nature of the administrative/disciplinary action, including a basic explanation or description of the event, which should not disclose personally identifiable information regarding any complaints or individuals involved. Any description provided must be consistent with the Family Educational Rights in Privacy Act. (3) Definitions. (a) An "authorized organizational

representative (AOR)" is an administrative official who, on behalf of the proposing institution, is empowered to make certifications and representations and can commit the institution to the conduct of a project that an agency is being asked to support as well as adhere to various agency policies and award requirements. (b) "Principal investigators and co-principal investigators" are award personnel supported by a grant, cooperative agreement, or contract under Federal law. (c) A "reported individual" refers to recipient personnel who have been reported to a federal agency for potential sexual harassment violations. (d) "Sex based harassment" means a form of sex discrimination and includes harassment based on sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. (e) "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment, whether such activity is carried out by a supervisor or by a co-worker, volunteer, or contractor.

Article 9 Civil Rights Act of 1964 – Title VI

Civil Rights Act of 1964 – Title VI Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21. Recipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 7.

Article 10 Civil Rights Act of 1968

Civil Rights Act of 1968 Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90284 (codified as amended at 42 U.S.C. § 3601 et seq.) which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection. therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units— i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article 11 Communication and Cooperation with the Department of Homeland Security and Immigration Officials

Communication and Cooperation with the Department of Homeland Security and Immigration Officials (1) All recipients and other recipients of funds under this award must agree that they will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials: (a) They must comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with DHS regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: 1) sending such information to, or requesting or receiving such information from, Federal immigration officials; 2) maintaining such information; or 3) exchanging such information with any other Federal, State, or local government entity; (b) They must comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes; (c) That they will honor requests for cooperation, such as participation in joint operations, sharing of information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance; (d) That they will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien; and (e) That they will not leak or otherwise publicize the existence of an immigration enforcement operation. (2) The recipient must certify under penalty of perjury pursuant to 28 U.S.C. § 1746 and using a form that is acceptable to DHS, that it will comply with the requirements of this term. Additionally, the recipient agrees that it will require any subrecipients or contractors to certify in the same manner that they will comply with this term prior to providing them with any funding under this award. (3) The recipient agrees that compliance with this term is material to the Government's decision to make or continue with this award and that the Department of homeland Security may terminate this grant, or take any other allowable enforcement action, if the recipient fails to comply with this term.

Article 12 Copyright

Copyright Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.

Article 13 Debarment and Suspension

Debarment and Suspension Recipients must comply with the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689 set forth at 2 C.F.R. Part 180 as implemented by DHS at 2 C.F.R. Part 3000. These regulations prohibit recipients from entering into covered transactions (such as subawards and contracts) with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article 14 Drug-Free Workplace Regulations

Drug-Free Workplace Regulations Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government- wide implementation (2 C.F.R. Part 182) of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

Article 15 Duplicative Costs

Duplicative Costs Recipients are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing requirements of any other federal award in either the current or a prior budget period. See 2 C.F.R. § 200.403(f). However, recipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal award terms and conditions.

Article 16 Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17. Recipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 19.

Article 17 Energy Policy and Conservation Act

Energy Policy and Conservation Act Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article 18 Equal Treatment of Faith-Based Organizations

Equal Treatment of Faith-Based Organizations It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article 19 Anti-Discrimination

Anti-Discrimination Recipients must comply with all applicable Federal anti- discrimination laws material to the government's payment decisions for purposes of 31 U.S.C. § 372(b)(4). (1) Definitions. As used in this clause – (a) DEI means "diversity, equity, and inclusion." (b) DEIA means "diversity, equity, inclusion, and accessibility." (c) Discriminatory equity ideology has the meaning set forth in Section 2(b) of Executive Order 14190 of January 29, 2025. (d) Federal anti-discrimination laws mean Federal civil rights law that protect individual Americans from discrimination on the basis of race, color, sex, religion, and national origin. (e) Illegal immigrant means any alien, as defined in 8 U.S.C. § 1101(a)(3), who has no lawful immigration status in the United States.(2) Grant award certification. (a) By accepting the grant award, recipients are certifying that: (i) They do not, and will not during the term of this financial assistance award, operate any programs that advance or promote DEI, DEIA, or discriminatory equity ideology in violation of Federal anti-discrimination laws; and (ii) They do not engage in and will not during the term of this award engage in, a discriminatory prohibited boycott. (iii) They do not, and will not during the term of this award, operate any program that benefits illegal immigrants or incentivizes illegal immigration. (3) DHS reserves the right to suspend payments in whole or in part and/or terminate financial assistance awards if the Secretary of Homeland Security or her designee determines that the recipient has violated any provision of subsection (2). (4) Upon suspension or termination under subsection (3), all funds received by the recipient shall be deemed to be in excess of the amount that the recipient is determined to be entitled to under the Federal award for purposes of 2 C.F.R. § 200.346. As such, all amounts received will constitute a debt to the Federal Government that may be pursued to the maximum extent permitted by law.

Article 20 False Claims Act and Program Fraud Civil Remedies

False Claims Act and Program Fraud Civil Remedies Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729-3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

Article 21 Federal Debt Status

Federal Debt Status All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A- 129.

Article 22 Federal Leadership on Reducing Text Messaging while Driving

Federal Leadership on Reducing Text Messaging while Driving Recipients are encouraged to adopt and enforce policies that ban text messaging while driving recipient-owned, recipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Recipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of Executive Order 13513.

Article 23 Fly America Act of 1974

Fly America Act of 1974 Recipients must comply with Preference for U.S. Flag Air Carriers (a list of certified air carriers can be found at: Certificated Air Carriers List | US Department of Transportation, https://www.transportation.gov/policy/aviation- policy/certificated-aircarriers-list)for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B- 138942.

Article 24 Hotel and Motel Fire Safety Act of 1990

Hotel and Motel Fire Safety Act of 1990 Recipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a.

Article 25 John S. McCain National Defense Authorization Act of Fiscal Year 2019

John S. McCain National Defense Authorization Act of Fiscal Year 2019 Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

Article 26 Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Limited English Proficiency (Civil Rights Act of 1964, Title VI) Recipients must comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance-published-help- department-supported- organizationsprovide-meaningful-access-people-limited and additional resources on http://www.lep.gov.

Article 27 Lobbying Prohibitions

Lobbying Prohibitions Recipients must comply with 31 U.S.C. § 1352 and 6 C.F.R. Part 9, which provide that none of the funds provided under a federal award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification. Per 6 C.F.R. Part 9, recipients must file a lobbying certification form as described in Appendix A to 6 C.F.R. Part 9 or available on Grants.gov as the Grants.gov Lobbying Form and file a lobbying disclosure form as described in Appendix B to 6 C.F.R. Part 9 or available on Grants.gov as the Disclosure of Lobbying Activities (SF-LLL).

Article 28 National Environmental Policy Act

National Environmental Policy Act Recipients must comply with the requirements of the National Environmental Policy Act of 1969, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article 29 National Security Presidential Memorandum-33 (NSPM-33) and provisions of the CHIPS and Science Act of 2022, Pub. L. 117-167, Section 10254

National Security Presidential Memorandum-33 (NSPM-33) and provisions of the CHIPS and Science Act of 2022, Pub. L. 117-167, Section 10254 (1) Recipient research institutions ("covered institutions") must comply with the requirements in NSPM-33 and provisions of Pub. L.117-167, Section 10254 (codified at 42 U.S.C. § 18951) certifying that the institution has established and operates a research security program that includes elements relating to: (a) cybersecurity; (b) foreign travel security; (c) research security training; and (d) export control training, as appropriate. (2) Definition. "Covered institutions" means recipient research institutions receiving federal Research and Development (R&D) science and engineering support "in excess of $50 million per year."

Article 30 Non-Supplanting Requirement

Non-Supplanting Requirement Recipients of federal awards under programs that prohibit supplanting by law must ensure that federal funds supplement but do not supplant non-federal funds that, in the absence of such federal funds, would otherwise have been made available for the same purpose.

Article 31 Notice of Funding Opportunity Requirements

Notice of Funding Opportunity Requirements All the instructions, guidance, limitations, scope of work, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this federal award are incorporated by reference. All recipients must comply with any such requirements set forth in the NOFO. If a condition of the NOFO is inconsistent with these terms and conditions and any such terms of the federal award, the condition in the NOFO shall be invalid to the extent of the inconsistency. The remainder of that condition and all other conditions set forth in the NOFO shall remain in effect.

Article 32 Patents and Intellectual Property Rights

Patents and Intellectual Property Rights Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq. and applicable regulations governing inventions and patents, including the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R. § 401.14.

Article 33 Presidential Executive Orders

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.

Article 34 Procurement of Recovered Materials

Procurement of Recovered Materials States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act at 42 U.S.C. § 6962) and 2 C.F.R. § 200.323. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article 35 Rehabilitation Act of 1973

Rehabilitation Act of 1973 Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article 36 Reporting Recipient Integrity and Performance Matters

Reporting Recipient Integrity and Performance Matters If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of the federal award, then the recipient must comply with the requirements set forth in the government-wide federal award term and condition for Recipient Integrity and Performance Matters is in 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated by reference.

Article 37 Reporting Subawards and Executive Compensation

Reporting Subawards and Executive Compensation For federal awards that total or exceed $30,000, recipients are required to comply with the requirements set forth in the government-wide federal award term and condition on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.

Article 38 Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Required Use of American Iron, Steel, Manufactured Products, and Construction Materials (1) Recipients of a federal award from a financial assistance program that provides funding for infrastructure are hereby notified that none of the funds provided under this federal award may be used for a project for infrastructure unless: (a) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (b) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (c) all construction materials are manufactured in the United States— this means that all manufacturing processes for the construction material occurred in the United States. (2) 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. (3) Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements. (a) When the Federal agency has determined that one of the following exceptions applies, the federal awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that: (i) applying the domestic content procurement preference would be inconsistent with the public interest; (ii) 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 (iii) 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 percent. (b) A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. (c) There may be instances where a federal award qualifies, in whole or in part, for an existing waiver described at "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. (4) Definitions. The definitions applicable to this term are set forth at 2 C.F.R. § 184.3, the full text of which is incorporated by reference.

Article 39 SAFECOM

SAFECOM Recipients receiving federal awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. The SAFECOM Guidance is updated annually and can be found at Funding and Sustainment | CISA.

Article 40 Subrecipient Monitoring and Management

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.

Article 41 System for Award Management and Unique Entity Identifier Requirements

System for Award Management and Unique Entity Identifier Requirements Recipients are required to comply with the requirements set forth in the governmentwide federal award term and condition regarding the System for Award Management and Unique Entity Identifier Requirements in 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated reference.

Article 42 Termination of a Federal Award

Termination of a Federal Award (1) By DHS. DHS may terminate a federal award, in whole or in part, for the following reasons: (a) If the recipient fails to comply with the terms and conditions of the federal award; (b) With the consent of the recipient, in which case the parties must agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated; or (c) Pursuant to the terms and conditions of the federal award, including, to the extent authorized by law, if the federal award no longer effectuates the program goals or agency priorities. (3) By the Recipient. The recipient may terminate the federal award, in whole or in part, by sending written notification to DHS stating the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. However, if DHS determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, DHS may terminate the federal award in its entirety. (4) Notice. Either party will provide written notice of intent to terminate for any reason to the other party no less than 30 calendar days prior to the effective date of the termination. (5) Compliance with Closeout Requirements for Terminated Awards. The recipient must continue to comply with closeout requirements in 2 C.F.R. §§ 200.344200.345 after an award is terminated.

Article 43 Terrorist Financing

Terrorist Financing Recipients must comply with Executive Order 13224 and applicable statutory prohibitions on transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible for ensuring compliance with the Executive Order and laws.

Article 44 Trafficking Victims Protection Act of 2000(TVPA)

Trafficking Victims Protection Act of 2000(TVPA) Recipients must comply with the requirements of the government-wide federal award term and condition which implements Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, § 106 (codified as amended at 22 U.S.C. § 7104). The federal award term and condition is in 2 C.F.R. § 175.105, the full text of which is incorporated by reference.

Article 45 Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107-56

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107- 56 Recipients must comply with the requirements of Pub. L. 107-56, Section 817 of the USA PATRIOT Act, which amends 18 U.S.C. §§ 175–175c.

Article 46 Use of DHS Seal, Logo and Flags

Use of DHS Seal, Logo and Flags Recipients must obtain written permission from DHS prior to using the DHS seals, logos, crests, or reproductions of flags, or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.

Article 47 Whistleblower Protection Act

Whistleblower Protection Act Recipients must comply with the statutory requirements for whistleblower protections in 10 U.S.C § 470141 U.S.C. § 4712.

Article 48 Environmental Planning and Historic Preservation (EHP) Review

Environmental Planning and Historic Preservation (EHP) Review DHS/FEMA funded activities that could have an impact on the environment are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state, and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; Endangered Species Act; National Historic Preservation Act of 1966, as amended; Clean Water Act; Clean Air Act; National Flood Insurance Program regulations; and any other applicable laws, regulations and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program. Applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The FEMA EHP review process must be completed before funds are released to carry out the proposed project, otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. DHS/FEMA may also need to perform a project closeout review to ensure the applicant complied with all required EHP conditions identified in the initial review. If ground disturbing activities occur during construction, the applicant will monitor the ground disturbance, and if any potential archaeological resources are discovered, the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA. EO 11988, Floodplain Management, and EO 11990, Protection of Wetlands, require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and be evaluated for social, economic, historical, environmental, legal, and safety considerations. FEMA's regulations at 44 C.F.R. Part 9 implement the EOs and require an eight-step review process if a proposed action is 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.

Article 49 Applicability of DHS Standard Terms and Conditions to Tribal Nations

Applicability of DHS Standard Terms and Conditions to Tribal Nations The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to sub-recipients as a matter of law, regulation, or executive order. If the requirement does not apply to Tribal Nations, or there is a federal law or regulation exempting its application to Tribal Nations, then the acceptance by Tribal Nations, or acquiescence to DHS Standard Terms and Conditions does not change or alter its inapplicability to a Tribal Nation. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribal Nations where it does not already exist.

Article 50 Acceptance of Post Award Changes

Acceptance of Post Award Changes In the event FEMA determines that an error in the award package has been made, or if an administrative change must be made to the award package, recipients will be notified of the change in writing. Once the notification has been made, any subsequent requests for funds will indicate recipient acceptance of the changes to the award. Please email FEMA Grant Management Operations at: ASK-GMD@fema.dhs.gov for any questions.

Article 51 Disposition of Equipment Acquired Under the Federal Award

Disposition of Equipment Acquired Under the Federal Award When original or replacement equipment acquired under this award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the non-state recipient or subrecipient (including subrecipients of a State or Tribal Nation), must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313(e). State recipients must follow the disposition requirements in accordance with State laws and procedures. 2 C.F.R. section 200.313(b). Tribal Nations must follow the disposition requirements in accordance with Tribal laws and procedures noted in 2 C.F.R. section 200.313(b); and if such laws and procedures do not exist, then Tribal Nations must follow the disposition instructions in 2 C.F.R. section 200.313(e).

Article 52 Prior Approval for Modification of Approved Budget

Prior Approval for Modification of Approved Budget Before making any change to the FEMA approved budget for this award, a written request must be submitted and approved by FEMA as required by 2 C.F.R. section 200.308. For purposes of non- construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(i) regarding the transfer of funds among direct cost categories, programs, functions, or activities. For awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently $250,000) and where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved, transferring funds among direct cost categories, programs, functions, or activities is unallowable without prior written approval from FEMA. For purposes of awards that support both construction and non-construction work, 2 C.F.R. section 200.308((f)(9) requires the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. Any deviations from a FEMA approved budget must be reported in the first Federal Financial Report (SF-425) that is submitted following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 53 Indirect Cost Rate

Indirect Cost Rate 2 C.F.R. section 200.211(b)(16) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for the award is stated in the budget documents or other materials approved by FEMA and included in the award file.

Article 54 Build America, Buy America Act (BABAA) Required Contract Provision & Self-Certification

Build America, Buy America Act (BABAA) Required Contract Provision & Self- Certification In addition to the DHS Standard Terms & Conditions regarding Required Use of American Iron, Steel, Manufactured Products, and Construction Materials, recipients and subrecipients of FEMA financial assistance for programs that are subject to BABAA must include a Buy America preference contract provision as noted in 2 C.F.R. section 184.4 and a self-certification as required by the FEMA Buy America Preference in FEMA Financial Assistance Programs for Infrastructure (FEMA Interim Policy #207-22-0001). This requirement applies to all subawards, contracts, and purchase orders for work performed, or products supplied under the FEMA award subject to BABAA.

Article 55 HSGP Performance Goal

HSGP Performance Goal In addition to the Biannual Strategy Implementation Report (BSIR) submission requirements outlined in the Preparedness Grants Manual, recipients must demonstrate how the grant-funded project addressed the core capability gap associated with this project and identified in the Threat and Hazard Identification and Risk Analysis (THIRA) or Stakeholder Preparedness Review (SPR) or sustains existing capabilities as applicable. The capability gap reduction must be addressed in the Project Description of the BSIR for each project.

Article 56 Operation Stonegarden Program Hold

Operation Stonegarden Program Hold The recipient is prohibited from drawing down OPSG funding under this award or reimbursing OPSG subrecipients of this award until each unique, specific, or modified county level, tribal, or equivalent Operations Order or Fragmentary Order (FRAGO) has been reviewed by FEMA/GPD and Customs and Border Protection/United States Border Patrol (CBP/USBP). The recipient will receive the official notification of approval from FEMA/GPD.

Article 57 OPSG Program Performance Goal

OPSG Program Performance Goal In addition to the Biannual Strategy Implementation Report (BSIR) submission requirements outlined in the Preparedness Grants Manual, recipients must demonstrate how the grant-funded project addressed the core capability gap associated with

this project and identified in the Threat and Hazard Identification and Risk Analysis (THIRA) or Stakeholder Preparedness Review (SPR) or sustains existing capabilities as applicable. The capability gap reduction or capability sustainment must be addressed in the Project Description of the BSIR for each project

Article 58 This article has been removed

This article has been removed.

Article 59 Non-Applicability of Specific Agreement Articles

Non-Applicability of Specific Agreement Articles Notwithstanding its inclusion in this award package, the following Agreement Article does not apply to this grant award: 1. Termination of a Federal Award. This provision is consistent with any terms of the Notice of Funding Opportunity that state Paragraph C.XL (Termination of a Federal Award) of the FY 2025 DHS Standard Terms and Conditions does not apply to this award. Refer to the Notice of Funding Opportunity for the terms governing award termination.

Article 60 State Homeland Security Program: Compliance with Federal Immigration Law

State Homeland Security Program: Compliance with Federal Immigration Law The following term applies to State Homeland Security Program funding under this award: 1. Prohibition a. The state, territorial, or local recipient is prohibited from being designated by the Department of Homeland Security or the Department of Justice as a sanctuary jurisdiction. If the Department of Homeland Security or Department of Justice designates a state or territory as a sanctuary jurisdiction after the Department of Homeland Security makes a grant award, the state or territorial recipient is prohibited from making any financial obligations under the grant award on or after the date of designation until the Department of Homeland Security removes that designation. The Department of Homeland Security will suspend that portion of the grant award supported by risk-based funding and not make payments to the state or territorial recipient on or after the date of designation until the Department of Homeland Security or Department of Justice removes that designation. This term and condition applies to the funding provided under the relative risk methodology pursuant to Section 2007 of the Homeland Security Act of 2002 (6 U.S.C. § 608) and does not apply to the minimum allocation to that state or territory required by Section 2004(e) of the Homeland Security Act of 2002 (6 U.S.C. § 605(e)). b. The state, territorial, or local recipient is prohibited from making subawards to a state, territorial, or local government that the Department of Homeland Security or Department of Justice has designated as a sanctuary jurisdiction. If the Department of Homeland Security or Department of Justice designates a state, territorial, or local government as a sanctuary jurisdiction after the state, territorial, or local government recipient makes a subaward to that state, territorial, or local government, the state, territorial, or local recipient must suspend the subaward, the state, territorial, or local recipient must not make any additional payments to the state, territorial, or local government, and the state, territorial, or local government is prohibited from making any financial obligations under the subaward on and after the date of designation until the Department of Homeland Security or Department of Justice removes that designation. This term and condition applies to all funding provided to the state or territorial recipient, including both the statutory minimum as well as risk-based funding allocations. c. The Department of Homeland Security designates a state, territory, or local government as a sanctuary jurisdiction if it fails to comply with that requirements set forth in paragraphs 2.a.i to v of this term and condition. 2. Certification a. The state, territorial or local recipient and subrecipients must certify under penalty of perjury pursuant to 28 U.S.C. § 1746, and using a form that is acceptable to the Department of Homeland Security, that they will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials: i. They will comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with the Department of Homeland Security regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, state, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: (1) sending such information to, or requesting or receiving such information from, Federal immigration officials; (2) maintaining such information; or (3) exchanging such information with any other Federal, state, or local government entity. ii. They will comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1) (A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes. iii. They will honor requests for cooperation, such as participating in joint operations, sharing of information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance. iv. They will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien. v. They will not leak or otherwise publicize the existence of an immigration enforcement operation. b. The state or territorial recipient must require a state, territorial, or local government subrecipient to make the certification above before providing them with any funding under the subaward. 3. Materiality and Remedies for Noncompliance This term and condition is material to the Department of Homeland Security's decision to continue with this grant award and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or a local government subrecipient fails to comply with this term and condition.

Article 61 State Homeland Security Program: Non-Applicability of Specific Terms and Agreement Articles

State Homeland Security Program: Non-Applicability of Specific Terms and Agreement Articles The following term applies to State Homeland Security Program funding under this award: Notwithstanding their inclusion in this award package, the following terms and Agreement Articles do not apply to this grant award: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled "Communication and Cooperation with the Department of Homeland Security and Immigration Officials" in this award package; and (2) paragraph C.XVII(2) (a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled "Anti-Discrimination" in this award package.

Article 62 State Homeland Security Program: Impact of San Francisco v. Trump Preliminary Injunction

State Homeland Security Program: Impact of San Francisco v. Trump Preliminary Injunction The following term applies to State Homeland Security Program funding under this award: Pursuant to the preliminary injunction order issued on August 22, 2025, in City and County of San

Francisco, et al. v. Trump, et al., No. 3:25-cv-01350 (N.D. Cal.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled "Communication and Cooperation with the Department of Homeland Security and Immigration Officials" in this award package; (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled "Anti-Discrimination" in this award package; and (3) the "State Homeland Security Program: Compliance with Federal Immigration Law" Agreement Article. If the preliminary injunction is stayed, vacated, or extinguished, the "State Homeland Security Program: Compliance with Federal Immigration Law" Agreement Article will immediately become effective.

Article 63 State Homeland Security Program: Impact of State of Illinois v. FEMA Injunction

State Homeland Security Program: Impact of State of Illinois v. FEMA Injunction Pursuant to the memorandum and order issued on September 24, 2025, in State of Illinois, et al. v. Federal Emergency Management Agency, et. al, No. 25-206 (D. R.I.), the following terms and conditions do not apply to awards or subawards issued to any of the plaintiffs subject to the injunction order while the order remains in effect: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled "Communication and Cooperation with the Department of Homeland Security and Immigration Officials" in this award package; (2) paragraph C.XVII(2)(a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled "Anti-Discrimination" in this award package; and (3) the "State Homeland Security Program: Compliance with Federal Immigration Law" Agreement Article. If the injunction is stayed, vacated, or extinguished, the "State Homeland Security Program: Compliance with Federal Immigration Law" Agreement Article will immediately become effective.

Article 64 Operation Stonegarden: Non-Applicability of Specific Terms and Agreement Articles

Operation Stonegarden: Non-Applicability of Specific Terms and Agreement Articles Notwithstanding their inclusion in this award package, the following terms and Agreement Articles do not apply to this grant award: (1) paragraph C.IX (Communication and Cooperation with the Department of Homeland Security and Immigration Officials) of the DHS Standard Terms and Conditions and the Agreement Article titled "Communication and Cooperation with the Department of Homeland Security and Immigration Officials" in this award package; and (2) paragraph C.XVII(2) (a)(iii) (Anti-Discrimination Grant Award Certification regarding immigration) of the DHS Standard Terms and Conditions and paragraph (2)(a)(iii) of the Agreement Article titled "Anti- Discrimination" in this award package.

Article 65 Summary Description of Award and Subprograms

Summary Description of Award and Subprograms The purpose of the FY 2025 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community. This HSGP award consists of State Homeland Security Program (SHSP) funding in the amount of $4,362,750 and Operation Stonegarden (OPSG) funding in the amount of $180,000.

Article 66 Period of Performance and Budget Period

Period of Performance and Budget Period Notwithstanding language in the Obligating Document or in the other terms of this award package, the Period of Performance and the Budget Period for this grant award is October 1, 2025 to September 30, 2026. The Period of Performance and Budget Period stated in the Obligating Document shall not apply.

Article 67 Amended Period of Performance and Budget Period Pursuant to State of Illinois, et al. v. Kristi Noem, et al. (D.RI) and State of Michigan et al. v. Kristi

Amended Period of Performance and Budget Period Pursuant to State of Illinois, et al. v. Kristi Noem, et al. (D.RI) and State of Michigan et al. v. Kristi Pursuant to the Permanent Injunction Order issued by the U.S. District Court for the District of Rhode Island in State of Illinois, et al. v. Kristi Noem, et al., No. 1:25-cv- 00495, dated December 22, 2025 and the Permanent Injunction Order issued by the U.S. District Court for the District of Oregon in State of Michigan, et al. v. Kristi Noem et al., No 6:25-cv-02053-AP, dated December 23, 2025, the Agreement Article titled "Period of Performance and Budget Period") of your award package is rescinded. The new Period of Performance and Budget Period for this award is September 1, 2025 to August 15, 2028.

Article 68 Amended Award Amount Pursuant to State of Illinois, et al. v. Kristi Noem, et al. (D.RI)

Amended Award Amount Pursuant to State of Illinois, et al. v. Kristi Noem, et al. (D.RI). Pursuant to the Permanent Injunction Order issued by the U.S. District Court for the District of Rhode Island in State of Illinois, et al. v. Kristi Noem, et al., No. 1:25-cv-00495, dated December 22, 2025, and Information Bulletin (IB) 540, the amount of funding awarded by this Fiscal Year 2025 Homeland Security Grant Program (HSGP) grant has been amended to reflect the amount set forth in the Notice of Funding Opportunity dated August 1, 2025. Further, the "Summary Description of Award and Subprograms" is amended to read as follows: The purpose of the FY 2025 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community. This HSGP award consists of State Homeland Security Program (SHSP) funding in the amount of $4,362,750 and Operation Stonegarden (OPSG) funding in the amount of $180,000.

Article 69 This article has been removed

This article has been removed.

Article 70 This article has been removed

This article has been removed.

Article 71 Removal of Programmatic and Financial Holds for LETPA and NPA

Removal of Programmatic and Financial Holds for LETPA and NPA The Federal Emergency Management Agency (FEMA) has removed all programmatic and financial holds placed on this award related to Law Enforcement Terrorism Prevention Activities (LETPA) and National Priority Areas (NPA). As of the effective date of this amendment, the full allocation amount identified in the award document is available in FEMA financial systems. The recipient may obligate, expend, and draw down funds for approved LETPA and NPA recipient and subrecipient projects, consistent with the terms and conditions of this award. Removal of these holds does not resolve any open issue identified with recipient or subrecipient projects during the State Administrative Agency (SAA) review or federal review. Concurrent with issuance of this amendment, FEMA will notify the recipient of any open issues. The recipient must coordinate with its assigned FEMA Preparedness Officer to address and demonstrate compliance with any findings identified during the federal review. The recipient must also continue to follow up with FEMA to ensure that all recipient and subrecipient projects are reviewed and approved before funds are obligated or expended for those projects. The recipient may use awarded funds only for costs that are included in the approved budget and are reasonable, necessary, and allocable to this award, consistent with the cost principles in Title 2, Code of Federal Regulations, Part 200, Subpart E. Any cost that is unallowable under the applicable Notice of Funding Opportunity (NOFO), the Preparedness Grants Manual, 2 C.F.R. Part 200, or other applicable federal requirements remains unallowable despite removal of these holds. If FEMA determines that award funds were expended on unallowable costs, the recipient must repay those amounts. Any funds paid in excess of the amount to which the recipient is entitled constitutes a debt to the Federal Government, which FEMA may collect consistent with 2 C.F.R. § 200.346.

Article 72 Pass-Through of Funds to Local and Tribal Governments

Pass-Through of Funds to Local and Tribal Governments As required by 6 U.S.C. § 605(c) for SHSP and 6 U.S.C. § 604(d) for UASI, the recipient must make available to local and tribal governments not less than 80 percent of the SHSP and UASI funds awarded under this award, within 45 days. The recipient may satisfy this requirement with funds or, with the consent of those governments, with items, services, or activities of equivalent value. This requirement applies to SHSP and UASI funds only and does not apply to OPSG funds. The 45-day period runs separately for each amount of SHSP and UASI funding that becomes available to the recipient, meaning when all holds are removed and funds are available for drawdown. For funds available at the time of award, the period begins on the date the recipient receives the funds. A hold on one amount does not suspend the period for any other amount, and funds available at the time of award must still be passed through within 45 days of receipt. For each such period, the recipient must pass through not less than 80 percent of the SHSP and UASI funds that became available at the beginning of that period. Meeting this obligation in each period satisfies the 80 percent requirement for the award as a whole. The recipient must certify to the Administrator that the required distribution has been made, as required by 6 U.S.C. §§ 605(c)(2) and 604(d)(4). A separate certification is required for each period, and each certification must identify the date the period began, the amount that became available, the amount passed through, and the local and tribal governments to which it was made available. FEMA records the release date of each amount in FEMA GO. This condition does not extend the period of performance. Where the cumulative effect of the withhold and the programmatic holds materially compresses the time available to the recipient, the recipient may request an extension of the period of performance in accordance with the Preparedness Grants Manual. This condition does not limit the authority of the Governor to request in writing that the Administrator extend the 45-day period under 6 U.S.C. § 605(c)(3), or the right of a local or tribal government to petition the Administrator under 6 U.S.C. § 605(c)(5).