# The Department of Homeland Security (DHS)

# Notice of Funding Opportunity (NOFO)

# Counter-Unmanned Aircraft Systems (C-UAS) Grant Program

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

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1. Basic Information

1. Basic Information				
A. Agency Name	U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA)			
<b>B.</b> NOFO Title	Counter-Unmanned Aircraft Systems (C-UAS) Grant Program			
C. Announcement Type	Initial			
<b>D.</b> Funding Opportunity Number	To be determined			
E. Assistance Listing Number	97.161			
F. Expected Total Funding	<b>\$500,000,000</b> - Fiscal Year 2026 – up to \$250,000,000 - Fiscal Year 2027 – up to \$250,000,000			
G. Anticipated Number of Awards	Fiscal Year 2026 – up to 12 awards Fiscal Year 2027 – up to 56 awards			
	Multiple awards; the number and size of awards will depend on selection and available funding.			
H. Expected Award Range	\$3,325,000 – To be determined  See Appendix A for the State and Territory Minimums with  Competitive Risk Tiers			
I. Projected Application Start Date	10/28/2025 8 a.m.			
J. Projected Application End Date	12/05/2025 5 p.m. Eastern Time (ET)			
K. Anticipated Funding Selection Date	12/18/2025			
L. Anticipated Award Date	No later than February 28, 2026			
M. Projected Period of Performance Start Date	July 4, 2025			
N. Projected Period of Performance End Date	September 30, 2028			
O. Executive Summary	The Counter-Unmanned Aircraft Systems (C-UAS) Grant Program, established under the One Big Beautiful Bill Act, 2025 (Pub. L. No. 119-21, Sec. 90005(a)), provides \$500 million in funding to enhance state and local capabilities to detect, identify, track, or monitor			

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unmanned aircraft systems (as defined in 49 U.S.C. § 44801), consistent with Titles 18 and 49 of the U.S.C. This funding supports U.S. state, local, tribal, and territorial governments in combatting the unlawful use of unmanned aircraft systems that pose a threat to the safety and security of the American people, communities, and institutions.

Using C-UAS Grant Program funds, eligible governments and their subrecipients may purchase unmanned aircraft system (UAS) detection, identifying, monitoring, tracking, and mitigation (DIMT-M) technologies to support public safety officials in the protection of the public and critical infrastructure from nefarious or unlawful use of UAS; mitigation technologies will be limited to select jurisdictions. For Fiscal Year 2026, DHS/FEMA will prioritize \$250 million in funding for the 11 states that are directly or indirectly hosting FIFA World Cup 2026 events and the National Capital Region (NCR),<sup>1</sup> which is hosting national America 250 events. All of the FIFA and NCR America 250 events are designated as Special Event Assessment Rating (SEAR) 1 or 2. These states and the NCR will receive statutory minimums established under the State Homeland Security Grant Program (SHSP), with additional funds allocated competitively based on the SEAR level of hosted events and the anticipated effectiveness of proposed projects.

The outstanding \$250 million will be distributed in Fiscal Year 2027 to all 56 states and territories, with an expanded focus on building national detection and response capacity. Details regarding Fiscal Year 2027 will be determined and shared at a later date.

# P. Agency Contact

#### a. Program Office Contact

FEMA has assigned Preparedness Officers to each state for the C-UAS Grant Program. If you are unsure who your Preparedness Officer is, please contact FEMA Grants News by phone at (800) 368-6498 or by email at <a href="mailto:fema-grants-news@fema.dhs.gov">fema.dhs.gov</a>, Monday through Friday, 9:00 AM – 5:00 PM ET.

#### b. FEMA Grants News

This channel provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. FEMA Grants News Team is reachable at fema-grants-

<sup>&</sup>lt;sup>1</sup> The NCR includes the District of Columbia; Montgomery and Prince George's Counties in Maryland; and Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia, along with any cities or units of government within their outer boundaries.

news@fema.dhs.gov OR (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET.

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

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

# d. FEMA Regional Offices

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

#### e. Civil Rights

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

# f. Environmental Planning and Historic Preservation

Consistent with Executive Order 14173, 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.

#### g. Payment and Reporting System

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

# g. FEMA GO

For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at <a href="mago@fema.dhs.gov">femago@fema.dhs.gov</a> or (877) 585-3242, Monday through Friday, 9:00 AM – 6:00 PM ET.

#### h. Preparedness Grants Manual

Recipients seeking guidance on policies and procedures for managing preparedness grants should reference the Preparedness Grants Manual at Preparedness Grants Manual. Only the portions of the Preparedness

Grants Manual specifically referenced in this NOFO apply to this grant.

# 2. Eligibility

# A. Eligible Entities/Entity Types

The C-UAS Grant Program funds are allocated across two fiscal years, each with distinct eligibility criteria and program focus. Below is a detailed breakdown of eligibility, funding structure, compliance requirements, and allowable project types.

# a. Applicants

1. Eligible Applicant

Only State Administrative Agencies (SAAs), as designated by the Governor or chief executive of each U.S. state or territory, are eligible to apply for and directly receive C-UAS Grant Program funds. The SAA serves as the official applicant, primary recipient, and grant administrator for its jurisdiction.

For this funding opportunity, the term "state" includes: all U.S. states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

#### 2. Restrictions

Tribal governments are not eligible to apply directly for C-UAS Grant Program funding but may participate as subrecipients through their respective SAA.

#### b. Subapplicants

Subapplicants and subawards are allowed.

#### 1. Eligible Subrecipients

In accordance with 2 C.F.R. § 200.1, 6 U.S.C. Chapter 1, and program-specific guidance, SAAs may issue subawards to eligible local, tribal, and territorial government entities, including city and county agencies, law enforcement, fire services, emergency medical services, emergency management, and other qualifying public safety organizations. These subrecipients carry out approved C-UAS Grant Program projects that further program goals consistent with Federal law and the authorities applicable to the subrecipients.

#### 2. Restrictions

Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statues, polices, and procedures including "staff American, stay in America" and security requirements.

#### c. Phased Program Structure

- 1. Fiscal Year 2026
  - Eligibility: For FY 2026, the C-UAS Grant Program eligibility is limited to the SAAs representing the 11 states and the NCR (represented by the District of Columbia as the eligible applicant on behalf of Maryland and Virginia) hosting (directly or indirectly) FIFA World Cup 2026 and national America 250 events, which are all SEAR 1 or 2 rated events (some may eventually be elevated to National Special Security Event [NSSE] status). This phased approach prioritizes jurisdictions facing elevated operational and security demands.
  - Funding Structure: Each of these states and the NCR will receive statutory minimum allocations as defined under the SHSP, with additional funds awarded competitively based on the SEAR level of hosted events and the effectiveness of proposed projects.

#### 2. Fiscal Year 2027

- Eligibility: The remaining \$250 million in C-UAS Grant Program funds will be distributed in FY 2027, with eligibility expanded to all states and territories. This round is designed to support the development of nationwide detection and response capabilities. This round focuses on building nationwide detection and response capabilities.
- Funding Structure: Section 90005(a)(1)(A) of the One Big Beautiful Bill Act appropriates funds for the C-UAS Grant Program under the authorizing statute for the SHSP. This statute identifies SAAs in each state and territory as the sole eligible applicants for these funds. It also establishes the following statutory minimums for states and territories to ensure equitable distribution:
  - States, Puerto Rico, and the District of Columbia: Each will receive at least 0.35% of total funds appropriated.
  - American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands: Each will receive at least 0.08% of total funds appropriated.

	This framework ensures that all jurisdictions, regardless of size, receive baseline funding to enhance their capabilities to address UAS-related threats while allowing for competitive allocations to address specific security needs.
B. Project Type Eligibility	a. Unallowable Project Types Certain project types are not eligible for C-UAS Grant Program funding. For more information, refer to Section 3.F: Program-Specific Unallowable Costs in the program guidance.
	<b>b.</b> Allowable Project Types Allowable costs for C-UAS Grant Program fall into the following categories: (1) Planning, (2) Organization, (3) Equipment, (4) Training, and (5) Exercises. Please see Appendix B: Allowable Costs for more information on allowable costs.
	All costs must have a demonstrated nexus to achieving target capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism in accordance with 6 U.S.C. 609(a) and 605(a). Funds may also be used in a manner than enhances preparedness for disasters unrelated to acts of terrorism, if such use assists such governments in achieving target capabilities related to preventing, preparing for, protecting against, or responding to acts of terrorism, pursuant to 6 U.S.C. 609(c).
	If there are questions about specific expenses, contact your FEMA Preparedness Officer.
C. Requirements for Personnel, Partners, and Other Parties	An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not:  1. A current employee, official, or leader of the recipient organization; and 2. Authorized to apply for the award on behalf of the entity at the time of submission.
	Additionally, the Authorized Organization Representative (AOR) must:
	<ol> <li>Be a current authorized employee, official, or leader of the recipient organization.</li> <li>Use a unique email address associated with the recipient organization at the time of application and upon any change in assignment during the period of performance.</li> </ol>
	Consultants or contractors are not permitted to serve as the AOR of the recipient organization. For more information on the roles and

responsibilities of the AOR, refer to FEMA's guidance on Roles and Permissions. Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government 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 the both the names and addresses of the individuals. Resumes are subject to approval. **D.** Maximum The maximum number of applications that can be submitted is: Number of 1. One per SAA **Applications E.** Additional Under the C-UAS Grant Program, there are specific funding Restrictions guidelines / requirements for allocating funds: a. Statutory Minimum Pass-Through Requirements Per 6 U.S.C. 609(a)(12), the states may retain up to 3% of awarded funds to pay expenses directly related to the administration of the grant (i.e., Management and Administration (M&A) costs). SAAs must pass through at least 97% of funds to eligible subrecipients. The only exception is that the SAA may retain a portion of funds with appropriate justification, to make equipment purchases or support activities at the state level that benefit state law enforcement agencies or address other statewide needs for this technology. The amount of funds that can be retained by the SAA under this exception cannot exceed 20% of the total awarded funding. For detailed information on pass-through requirements, please refer to Section 8, "Award Notices," in the NOFO and consult the "Pass-Through Requirements" Section 8.12 within the Preparedness Grants Manual, which is incorporated by reference into this NOFO. b. Mitigation Training Requirement All agencies and personnel operating mitigation technologies purchased or supported with C-UAS Grant Program funds must: Have personnel trained at, or scheduled to be trained at, the FBI's National Counter-UAS Training Center (FBI NCUTC). FEMA will verify registration with the FBI to ensure compliance with this requirement. Include proof of registration and, where applicable, certification with their grant application and maintain this

documentation for compliance purposes. Equipment not in regular use, or used for unauthorized purposes, may be subject to recovery, and the recipient may be required to return grant funds. Documentation of usage and deployment must be maintained and submitted in performance progress reports. c. Use and Certification Requirement Recipients and subrecipients must certify, at project initiation and in ongoing programmatic progress reports, that all grantfunded equipment is actively deployed and used for its intended public safety or security purpose. Regular documentation of operational use must be included in performance progress reports. Equipment that is not regularly used or is used outside of authorized purposes may be subject to recall, and recipients may be required to return grant funds to FEMA. d. C-UAS Grant Program Mitigation Capabilities Funds for C-UAS Grant Program mitigation capabilities (e.g., kinetic or non-kinetic technologies used to disable, destroy, or seize control of UAS during flight) may only be authorized for law enforcement or correctional agencies. These agencies must: • Have personnel trained at, or scheduled to be trained at, the FBI's NCUTC. Ensure that all mitigation operations are conducted in compliance with applicable laws and regulations. For more information on funding restrictions, refer to General Funding Requirements. **F.** References for Please see the following references provided below: **Eligibility Factors** 1. "Responsiveness Review Criteria" subsection within the NOFO 2. "Financial Integrity Criteria" subsection 3. "Supplemental Financial Integrity Criteria and Review" subsection. **G.** Cost Sharing There is no cost share requirement. Requirement H. Cost Share Not applicable. Description, Type and Restrictions I. Cost Sharing Not applicable. Calculation Example

J.	Required	Not applicable.
	information for	
	verifying Cost	
	Share	

#### 3. Program Description

# A. Background, Program Purpose, and Program History

The C-UAS Grant Program was established in Fiscal Year 2026 under Section 90005(a) of the One Big Beautiful Bill Act, 2025 (Pub. L. No. 119-21), in direct response to growing national security concerns surrounding the unlawful or nefarious use of unmanned aircraft systems (UAS).

The program's priorities are shaped by Executive Order 14305, "Restoring American Airspace Sovereignty," and recommendations from the White House FIFA World Cup Task Force and subject matter experts from the field. These priorities specifically address the elevated security demands of high-profile events, including the FIFA World Cup 2026 and national America 250 celebrations.

The C-UAS Grant Program provides resources to state, local, tribal, and territorial (SLTT) agencies, first responders, and public safety entities to detect, track, identify, and—where authorized—mitigate UAS threats, ensuring the safety of the public, critical infrastructure, and sensitive government operations.

# **B.** Goals and Objectives

The C-UAS Grant Program's primary objective is to ensure SLTT agencies and public safety entities have the resources, training, and operational capacity to detect, track, identify, and—where authorized—mitigate UAS threats.

The program's goals are to:

- 1. Strengthen national preparedness by equipping SLTT agencies with C-UAS Grant Program capabilities.
- 2. Protect critical infrastructure, mass gatherings, and sensitive government operations from UAS threats.
- 3. Support the deployment of fixed or portable systems for UAS detection, tracking, identification, and—where authorized—mitigation, consistent with applicable laws.

FEMA created the C-UAS Grant Program to ensure that SLTT agencies receive funds to purchase DTIM equipment or services for the detection, tracking, identification, and mitigation of UA and UAS signals consistent with the legal authorities of those SLTTs.<sup>2</sup> Under this grant program, SLTT entities and first responder and/or public safety entities may use federal funds through grant programs to purchase fixed or portable systems that can detect, track, identify, and mitigate UAS threats consistent with applicable laws. Funds for C-UAS mitigation capabilities (e.g., kinetic or non-kinetic capabilities used to disable, destroy or seize control of during flight)

<sup>&</sup>lt;sup>2</sup> Exec. Order No. 14305 90 FR 24719 (2025).

may only be authorized for law enforcement or correctional agencies which have personnel trained at or are scheduled to be trained at the FBI's National C-UAS Training Center on C-UAS mitigation operations.

# C. Program Rationale

The stated goals, objectives, and priorities of the C-UAS Grant Program support Section 6(c) of Executive Order 14305, "Restoring American Airspace Sovereignty."

#### **D.** Federal Assistance Type

Grant

#### **E.** Performance Measures and Targets

As a newly implemented program, targeted performance may be adjusted subsequently as additional supporting information becomes available. Recipients will be required to share activity information including:

- 1. Total number of hours each system is in active use since acquisition;
- 2. Cumulative number of UAS detections made by the systems, including repeated detections of the same UAS:
- 3. Number of distinct UAS identified, ensuring that multiple detections of the same UAS are counted as a single unique event; and
- 4. Total number of criminal investigations launched based on intelligence provided by the C-UAS systems.

#### a. Short-term targets/measures:

Fund the purchase and implementation of C-UAS technology:

- 1. Percentage of funds utilized for purchase of C-UAS equipment and or services. (Target 80%)
- 2. Percentage of funds utilized for training personnel in the operation of C-UAS technology. (Target 20%)

#### **b.** Mid- to long-term targets:

- 1. **100%** of mitigation systems procured through the C-UAS Grant Program used to protect FIFA World Cup 2026 and America 250 events in conjunction with Federal authorities.
- 2. Successfully identify and classify **90%** of detected UAS threats (e.g., distinguishing between commercial, recreational, and potentially malicious UAS).
- 3. Launch criminal investigations on **100%** of identified violations of civil and criminal laws when UAS operators endanger the public, violate established airspace restrictions, or operate a UAS in furtherance of an element of another crime.

# **F.** Program-Specific Unallowable Costs

• Per FEMA policy and published in <u>Information Bulletin No. 530</u>, the purchase of weapons and weapons accessories, including ammunition, is not allowed with FWCGP

funds. Grant funds may not be used for the purchase of the following equipment: firearms; ammunition; grenade launchers; bayonets; or weaponized aircraft, vessels, or vehicles of any kind with weapons installed. (For the purposes of this NOFO, "weaponized aircraft" refers to any aircraft, manned or unmanned, that is equipped with, or designed to deliver, weapons or munitions. Non-weaponized aircraft and UAS (drones) used for monitoring, surveillance, or data collection are not prohibited, unless otherwise specified. Requests for technologies with dual-use or mitigation functions that may fall into a gray area should be submitted to FEMA for pre-approval and justification.)

- General-use facility expenditures, to include, but not limited to ordinary facility maintenance, contracts for maintenance, and specifically backup or emergency generators;
- General vehicle maintenance, service contracts, or warranties. This is different from maintenance and sustainment costs that are allowable, but only for projects funded under a grant award. For projects or equipment not funded by the grant award, general maintenance, service contracts, and warranties are not allowable;
- Expenditures for items such as general-use software (word processing, spreadsheet, graphics, etc.), general-use computers and related equipment (other than for allowable M&A activities, or otherwise associated preparedness or response functions), general-use vehicles, licensing fees, recurring operating costs (e.g., cell phone services, maintenance contracts);
- Organizational operating expenses;
- Personnel costs, to include, but not limited to, overtime and backfill (except as detailed within this NOFO). Personnel costs are only allowable when directly related to the purpose of the NOFO and approved projects;
- Activities not directly related to the completion or implementation of C-UAS Grant Program-funded projects and activities;
- Other indirect costs (meaning property purchase, depreciation, or amortization expenses);
- Initiatives in which federal agencies are the beneficiary or that enhance federal property;
- Initiatives which study technology development;
- Proof-of-concept initiatives;
- Initiatives that duplicate capabilities being provided by the Federal Government; and
- Other items not in accordance with the AEL, in accordance with <u>Information Bulletin No.</u> 530, or not previously listed as allowable costs.
- Per 6 USC 609(b)(1), grant funds will be used to supplement existing funds and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or recipients may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

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

Costs charged to federal awards (including federal and non-federal cost share funds) must comply with applicable statutes, rules and regulations, policies, this NOFO, and the terms and conditions of the federal award. This includes, among other requirements, that costs must be

incurred, and products and services must be delivered within the budget period. See <u>2 C.F.R. §</u> 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 <u>2 C.F.R.</u> § <u>200.306</u>).
- 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).
- 4. Any activities inconsistent with Federal laws and any laws or regulations applicable to their jurisdiction. Such activities must also be consistent with the First and Fourth Amendments to the Constitution.

# **H.** Indirect Costs (Facilities and Administrative Costs) Indirect costs are NOT allowed.

# **I.** Management and Administration (M&A) Costs M&A costs are allowed.

Primary Recipients (SAAs) can use up to 3% and sub-recipients may use up to 3% of their C-UAS Grant Program funds for M&A purposes. M&A are not overhead costs but are necessary direct costs incurred in direct support of the federal award or as a consequence of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct support of the program. As such, M&A costs can be itemized in financial reports.

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

Pre-award costs are not allowed. However, the period of performance (PoP) will be established as beginning on July 4, 2025, thereby authorizing the incurrence of costs on or after that date.

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

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

#### L. Participant Eligibility

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

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

Section 2004 of the Homeland Security Act of 2002 (Pub. L. No. 107-296, as amended) (6 U.S.C. § 605).

# **N.** Appropriation Authority

Section 90005(a)(1)(A) of the *One Big Beautiful Bill Act*, 2025 (Pub. L. No. 119-21).

# O. Budget Period

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

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

See the <u>Preparedness Grants Manual</u> Section 3.2.3, which is incorporated by reference into this NOFO, for information on prohibitions on expending funds on covered telecommunications and surveillance equipment and services.

#### 4. Application Contents and Format

**A.** Pre-Application, Letter of Intent, and Whitepapers Not applicable.

# **B.** Application Content and Format

Not applicable.

# **C.** Application Components

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

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

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

Start by visiting <u>Grants.gov</u> and searching for the C-UAS Grant Program posting. Once you find the posting, go to the Related Documents tab to download the necessary templates. Fill out these forms carefully, ensuring all information is accurate and clearly labeled. Save the completed forms as Adobe PDF files. Finally, log in to FEMA GO and upload the PDFs as part of your application.

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

- FEMA GO Web based Summary of Grant Request Details (additional information in Appendix C)
- FEMA GO Detailed Budgets (web based)

#### E. Post-Application Requirements for Successful Applicants

Successful applicants must submit a draft Implementation Plan within **60 days** of award acceptance and a final plan within **30 days** of receipt of feedback from DHS/FEMA. Recipient plans should address, at a minimum:

- 1. Detailed Budget for:
  - a. Personnel
  - b. Equipment
  - c. Training/Exercises
- 2. Equipment
  - a. Equipment or services to be purchased, agreement with sponsoring federal agency (DHS or Department of Justice [DOJ])
  - b. Equipment sustainment/maintenance
- 3. Personnel
  - a. Initial and sustainment training for C-UAS Grant Program operators
  - b. For applicants requesting mitigation technologies:
    - i. Agreements for participation in FBI Joint Counterterrorism Task Force for select personnel
    - ii. Completion or enrollment information to the FBI's NCUTC
- 4. Policy
  - a. Commitments to comply with DHS or DOJ C-UAS policies
  - b. Privacy protections
  - c. Operational coordination with applicable Federal agencies
  - d. Compliance with applicable FCC and FAA regulations
  - e. Willingness to support special events outside of normal jurisdictions
  - f. Agreement to provide mutual aid

#### 5. Submission Requirements and Deadlines

**A.** Address to Request Application Package

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

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

- a. Apply for, update, or verify their Unique Entity Identifier (UEI) number and Employer Identification Number (EIN) from the Internal Revenue Service;
- b. In the application, provide an UEI number;
- c. Have an account with login.gov;
- d. Register for, update, or verify their SAM account and ensure the account is active before submitting the application;
- e. Register in FEMA GO, add the organization to the system, and establish the Authorized Organizational Representative (AOR). The organization's electronic business point of contact (eBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see <a href="https://www.fema.gov/media-library/assets/documents/181607">https://www.fema.gov/media-library/assets/documents/181607</a>;
- f. Submit the complete application in FEMA GO; and
- g. Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. As part of this, applicants must also provide information on an applicant's immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded federal contracts or federal financial assistance within the last three years, if applicable.

Per <u>2 C.F.R. § 25.110(a)(2)(iv)</u>, 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 <u>fema-grants-news@fema.dhs.gov</u> and provide the details of the exigent circumstances.

How to Register to Apply:

#### General Instructions:

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

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

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

#### Obtain a UEI Number:

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

#### Obtain Employer Identification Number:

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

#### Create a login.gov account:

Applicants must have a login.gov account in order to register with SAM or update their SAM registration. Applicants can create a login.gov account at: <a href="https://secure.login.gov/sign\_up/enter\_email?request\_id=34f19fa8-14a2-438c-8323-a62b99571fd">https://secure.login.gov/sign\_up/enter\_email?request\_id=34f19fa8-14a2-438c-8323-a62b99571fd</a>.

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

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

#### Register with SAM:

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

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

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

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

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

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

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

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

Submitting the Final Application:

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

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

**B.** Application Deadline December 04, 2025, at 5 p.m. Eastern Time

**C.** Pre-Application Requirements Deadline Not applicable.

**D.** Post-Application Requirements Deadline Not applicable.

# **E.** Effects of Missing the Deadline

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

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

# **6. Intergovernmental Review**

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

#### 7. Application Review Information

#### A. Threshold Criteria

The SAA is the sole entity authorized to submit C-UAS Grant Program applications to FEMA on behalf of the state and subrecipients. This section highlights the specific criteria that determine ineligibility, ensuring applicants understand and adhere to the program's requirements.

# a. Entities Ineligible for C-UAS Grant Program Funding

- **Non-SAA Organizations -** SAAs are the only eligible applicants to submit C-UAS Grant Program applications to FEMA.
- **Unaffiliated or Unauthorized Representatives -** Applications submitted by individuals who are not current employees, personnel, or authorized representatives of the applicant organization (e.g., consultants or contractors acting on behalf of an organization) will be deemed ineligible.
- Organizations Not Registered in SAM.gov Applicants that fail to register and maintain an active profile in SAM.gov, or those without a UEI, are not eligible to receive funding.
- Direct Applications by Tribal Governments Tribal governments cannot directly apply for C-UAS funding. However, they may receive funding as subrecipients through their state's SAA.

# b. Non-Compliance with Federal Requirements

- Failure to submit a complete and accurate application by the deadline.
- Applications missing required documentation or information, such as an active registration in SAM.gov or compliance with UEI requirements.
- Entities with a history of non-compliance with federal statutes, regulations, or program requirements that impact eligibility for federal funding.

#### **B.** Application Criteria

Each Applicant must submit their application package through the FEMA Grants Outcomes (FEMA GO) system by the specified deadline. The application package must include all required components, including the Application Worksheet and the Investment Justification, as supplemental documents. These components collectively provide the information necessary for FEMA to evaluate the proposed project's alignment with the program's objectives, operational need, and feasibility.

Through these required documents, applicants must clearly describe the operational need for UAS detection capabilities in their jurisdiction, including specific threats, vulnerabilities, or gaps that the project will address. The Investment Justification must outline the proposed project and implementation plan, detailing the activities to be undertaken, the timeline for completion, and how the project will enhance UAS detection, tracking, and response capabilities. Additionally, applicants must include a detailed budget that breaks down costs by category (e.g., Planning, Organization, Equipment, Training, and Exercises) and provides a justification for each expense. All submissions must adhere to the requirements outlined in the Notice of Funding Opportunity (NOFO) and comply with applicable federal laws and regulations.

Sub-applicant proposals will be considered based on the project's adherence to eligible costs outlined below. Partial funding may be approved to remove ineligible costs that are not specified or deemed unallowable.

#### a. Funding Categories and Technologies

C-UAS Grant Program technologies exist to support public safety officials in protection of public and critical infrastructure from nefarious or unlawful use of UAS. These technologies employ a variety of sensors and processes which detect, track, identify, and mitigate a threat UAS.

Detection, tracking and identification of UAS may be provided by a third-party as a service, generally for wide-area UAS airspace awareness. To facilitate protection of a fixed site or public event, different detection, tracking and identification equipment is used, generally owned, and paired with mitigation technologies. Proper training, maintenance and use of these technologies ensure safe employment in the National Airspace and efficacy in protecting the public. Funding under this grant program may be used for but not limited to:

#### 1. Planning

- Developing or updating UAS-specific response plans that integrate detection systems into existing emergency operations plans (EOPs) or incident command systems.
- Conducting risk assessments to identify high-priority areas for UAS detection, such as critical infrastructure, public events, or disaster-prone areas.
- Developing standard operating procedures (SOPs) for responding to unauthorized or malicious UAS activity.
- Coordinating with federal agencies (e.g., FAA, DHS) to ensure compliance with federal laws and regulations governing UAS detection and mitigation.
- Establishing information-sharing protocols with fusion centers, law enforcement, and other stakeholders to disseminate UAS-related threat intelligence.

• Planning for the integration of UAS detection systems with existing public safety technologies, such as Geospatial Information Systems (GIS) platforms or computer-aided dispatch (CAD) systems.

#### 2. Organization

- Salaries for personnel supporting C-UAS operations.
- Developing or updating UAS-specific response plans that integrate detection systems into existing EOPs or incident command systems.
- Conducting risk assessments to identify high-priority areas for UAS detection, such as critical infrastructure, public events, or disaster-prone areas.
- Developing SOPs for responding to unauthorized or malicious UAS activity.

#### 3. Equipment

- For detection, tracking, and identification:
  - Radar (active and passive)
  - Electro Optical and Infrared Cameras
  - Radio Frequency Detection Systems
  - Acoustic Systems
  - Remote ID and similar broadcast beacon receivers
  - Integrated multi-sensor systems include all or some of the above
  - Senior fusion software and hardware
  - Networking communications
- For UAS Mitigation:
  - Physical barrier such as Security Netting (authorized for all entities)
  - Only available for jurisdiction trained at the FBI NCUTC specific systems are subject to approval by NCUTC:
    - Radio frequency cyber take-over
    - Radio frequency jamming
    - Drone interception (those not considered "weaponized aircraft")
    - Integrated systems which combine some or all the above
- Third Party Data Service Providers.
- Acquiring sensor fusion software to integrate data from multiple detection systems into a common operational picture (COP).
- Procuring portable/mobile UAS detection systems for use during temporary events or in remote areas.
- Investing in UAS software-as-a-service (SaaS) subscription models to access cuttingedge technology without the need for large upfront investments, including but not limited to surveillance as a service and data as a service.
- Purchasing mounts, masts, power supplies, and networking equipment to support the deployment of UAS detection systems.
- Procuring calibration tools and spares to ensure the ongoing functionality of detection equipment.

#### 4. Training and travel

- Training programs for C-UAS systems.
- Attendance at FBI NCUTC.
- Necessary related travel costs for C-UAS personnel adhering to federal U.S General Services Administration standards and policy.
- Providing hands-on training for first responders on the operation of specific UAS detection systems.
- Conducting train-the-trainer programs to build local capacity for ongoing training efforts.
- Providing scenario-based training to prepare responders for real-world UAS threats, such as swarming drones or UAS equipped with payloads.
- Training personnel on the interpretation of UAS detection data and the integration of this data into decision-making processes.

#### 5. Exercising

- Conducting tabletop exercises (TTXs) to simulate UAS-related incidents and test response plans, SOPs, and coordination protocols.
- Organizing functional exercises (FXs) to test the operation of UAS detection systems and the integration of these systems with other public safety technologies.
- Running full-scale exercises (FSEs) to simulate large-scale UAS threats, such as unauthorized UAS activity at a public event or near critical infrastructure.
- Including multi-jurisdictional exercises to test coordination between state, local, tribal, and federal agencies, as well as private sector partners.
- Conducting after-action reviews (AARs) to identify lessons learned and areas for improvement following exercises.
- Incorporating UAS detection scenarios into broader homeland security exercises, such as those focused on terrorism or disaster response.

#### 6. Management and Administration

Necessary direct costs incurred in direct support of the federal award or as a consequence
of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct
support of the program. As such, M&A costs can be itemized in financial reports. If an
outside consultant or contractor is used for grant writing or grant management, additional
federal requirements may apply.

See *Appendix B: Allowable Activities* for additional information on these funding categories and technologies.

# b. Legal Considerations

6 U.S.C. § 124n provided authorization to engage in C-UAS activities notwithstanding other federal laws, such as Air Piracy (49 U.S.C. § 46502), Aircraft Sabotage (18 U.S.C. § 32), Computer Fraud and Abuse Act (18 U.S.C. § 1030), Interference with a satellite (18 U.S.C. § 1367), Pen Registry/Trap (18 U.S.C. §§ 3121–3127), and the Wiretap Act (18 U.S.C. § 2511). That statutory authorization is in addition to the pre-existing authority of law enforcement, including SLTT law enforcement, to act when they reasonably believe it necessary to protect themselves or others from imminent death or serious injury.

# **Detection, Tracking and Identification Technologies or Services**

Under U.S. law, any entity—whether an individual, private organization, or government agency at the federal, state, local, tribal or territorial level—may lawfully detect, track, and identify an unmanned aircraft system (UAS) so long as the activity is limited to point-of-fact observable information or communications "readily accessible to the public." Courts have consistently recognized that there is no reasonable expectation of privacy in information exposed to public view or broadcast into the public domain (*Katz v. United States*, 389 U.S. 347 (1967); *California v. Ciraolo*, 476 U.S. 207 (1986)).

The Wiretap Act (18 U.S.C. § 2511(2)(g)(i)) expressly permits interception of radio communications "readily accessible to the general public," a category encompassing Remote ID broadcasts required by the FAA (14 C.F.R. Part 89). Additionally, the Wiretap Act expressly permits the interception of radio communications of aeronautical communications (18 U.S.C. § 2511(2)(g)(ii)(IV)). For a UAS, 47 CFR § 88.5 defines the aeronautical communications of "control and non-payload communications" as any transmission that is sent between the unmanned aircraft component and the UAS ground station of the UAS and that supports the safety or regularity of the unmanned aircraft's flight.

Detection technologies such as visual observation, radar (active or passive), EO/IR sensors, passive radio frequency detection or acoustic detection, do not implicate the Wiretap Act or Pen Register/Trap and Trace statute (18 U.S.C. §§ 3121–3127). These systems detect physical reflections or the presence emissions, not communications. As a matter of law and physics, they cannot constitute unlawful interception. Thus, visual observation, radar returns, optical tracking, acoustic signatures, Remote ID data, and aeronautical communications of "control and non-payload communications" fall outside wiretap restrictions.

The sharing or retention of aeronautical control and non-payload communications and other information 'readily accessible to the general public' is not restricted by 6 U.S.C. § 124n, 50 U.S.C. § 2661 or 10 U.S.C. § 130i. Those statutes provide relief only for otherwise unlawful acts, not for data already public, Remote ID, visual point-of-fact, radar, and acoustic detections are publicly accessible and may be freely shared or retained.

Radio frequency (RF) detection technologies which electronically intercept radio communications "readily accessible to the general public" or are "aeronautical control and non-payload communications" are not subject to wiretap or pen registry/trap restrictions. Since the UAS telemetry and control data do not concern traditional user-initiated content, or addressing, these detection technologies do not constitute a pen trap or register. Radio frequency (RF) interception technologies which capture user-generated "payload" data or content, such as video feeds, are specifically immunized under 6 U.S.C. § 124n.

# **Mitigation Technologies**

Law enforcement officers may use force against a drone when they reasonably believe it is necessary to protect themselves or others from an imminent threat of death or serious physical injury. This authority is grounded in the Fourth Amendment and Supreme Court precedents such as *Tennessee v. Garner*, (471 U.S. 1 (1985)) and *Graham v. Connor*, (490 U.S. 386

(1989)). These principles extend to drones used as weapons or otherwise presenting an imminent threat.

However, Congress, recognizing the need for broader authority to address a wider variety of public safety situations, provided reliefs from prosecution under a variety of Federal laws which could be implicated when countering UAS threats. Congress did not extend those reliefs to SLTT entities. To enable SLTT personnel to operate the full range of mitigation technologies (e.g., kinetic or non-kinetic capabilities used to disable, destroy or seize control of during flight), the Department of Justice acting through the FBI, shall deputize SLTT law enforcement or correctional facility officers in the FBI Joint Terrorism Task Forces (JTTF). To employ mitigation technologies, these JTTF members must attend and complete the training course at FBI's NCUTC. SLTT JTTF may only conduct C-UAS mitigation operations within their federal capacity, unless acting when they reasonably believe it necessary to protect themselves or others from imminent death or serious injury.

Funds for C-UAS mitigation capabilities (e.g., kinetic or non-kinetic capabilities used to disable, destroy or seize control of during flight) may only be authorized for law enforcement or correctional agencies which have personnel trained at or are scheduled to be trained at the FBI's National C-UAS Training Center on C-UAS mitigation operations and under the control or direction of a Federal Agency or Department with the authority to conduct such actions.

The use of federal grant funds to purchase C-UAS equipment or services is subject to the following additional provisions:

#### a. The recipient must:

- i. Submit to FEMA a description of how they expect to use the property;
- ii. Submit to FEMA the following system for cost efficiency analysis of grant-funded C-UAS systems:
  - 1. Make, model, configuration (if a model allows for multiple configurations) of each sensor comprising a purchased system;
  - 2. Total number of hours each system in active use since acquisition;
  - 3. Cumulative number of UAS detections made by the systems, including repeated detections of the same UAS;
  - 4. Number of distinct UAS identified, ensuring that multiple detections of the same UAS are counted as a single unique event;
  - 5. Total number of criminal investigations launched based on intelligence provided by the C-UAS systems; and
  - 6. All associated expenses, including:
    - a. Hardware and equipment purchase costs;
    - b. Installation and training expenses;
    - c. Costs for any operations and maintenance agreements;
- iii. Demonstrate that the property will be tracked in an asset management system;
- iv. Demonstrate a nexus to funding program priorities;
- v. Certify they have adopted or will adopt required policies and protocols in adherence to applicable federal and local jurisdictional laws;

- vi. Certify they will adhere to the after-action report requirement;
- vii. Certify they will adhere to the records keeping requirements;
- viii. Indicate whether the equipment will be used regionally;
- ix. Disclose civil rights compliance information;
- x. Certify they will meet all training requirements outlined in *Appendix B: Allowable Activities*
- xi. Certify they will abide by all applicable federal, state, local, and tribal laws, regulations, and programmatic terms and conditions, to include Titles 18 and 49 of the U.S. Code:
- xii. Determine the specific certification or approval that may be required to purchase excepted or controlled equipment under a particular program; and
- xiii. May Utilize Third Party Data Service Providers
  - a. Vendors that deliver UAS detection data by one of the above means using equipment owned by the service provider typically employ a business model where they setup detection hardware, software, and supporting infrastructure in a geographical location and sell access to data to multiple users.

# c. Participate in Data Sharing

DHS, DOJ, Department of Energy (DOE), or Department of War (DOW) C-UAS operating entities may request data from grant recipients for C-UAS operations that include but are not limited to public safety and national security. As allowed by applicable jurisdictional records retention policies, data sharing restrictions, and information law, the grant recipient shall enter a vendor contract which enables efficient and reasonable data sharing with DHS, DOJ, DOE, DOW C-UAS operating entities. Such data sharing mechanisms may include but are not limited to data output file transfer, limited viewer access, or shared cloud access.

As allowed by applicable local jurisdictional records retention policies and information law, the grant recipient may identify other SLTT public safety entities with mutual interest in UAS detection and tracking. After identifying SLTT public safety partners, the grant recipient may enter a vendor contract which allows for identified partner public safety entities to access data as a user.

#### d. Further Guidance

When considering various C-UAS equipment or services, SLTT public safety entities may engage the DHS Science and Technology Directorate (S&T) National Urban Security Technology Laboratory (NUSTL) for further guidance through NUSTL@hq.dhs.gov or through the Federal Bureau of Investigation National Counter Unmanned Aircraft Systems Training Center (FBI NCUTC). NUSTL has knowledge products and technical advisory services available to public safety entities. All purchases of mitigation equipment must be coordinated with the FBI NCUTC. These advisory services will be provided for informational purposes only. Guidance received is not binding and lacks the force and effect of law, unless expressly authorized by statute or expressly incorporated into a contract, grant, or cooperative agreement.

#### C. Financial Integrity Criteria

Before making an award, FEMA is required to review OMB-designated databases for applicants' eligibility and financial integrity information. This is required by the Payment Integrity

<u>Information Act of 2019 (Pub. L. No. 116-117, § 2 (2020))</u>, <u>41 U.S.C. § 2313</u>, and <u>the "Do Not Pay Initiative" (31 U.S.C. 3354)</u>. For more details, please see 2 C.F.R. § 200.206.

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

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

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

Before making an award expected to exceed the simplified acquisition threshold (currently a total federal share of \$350,000) over the period of performance:

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

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

In FY 2026, C-UAS Grant Program applications will be reviewed by FEMA for completeness, adherence to programmatic guidelines, feasibility, and how well the project description and justifications address the identified criteria.

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

Reviewers for the C-UAS Grant Program NOFO are selected from within FEMA, across the federal government, and, where applicable, may include external subject matter experts. These reviewers are chosen based on their expertise in homeland security, emergency management, and grant administration.

#### a. State Review

The SAA is the sole entity authorized to submit C-UAS Grant Program applications to FEMA on behalf of the state and subrecipients. The SAA reviews subaward applications to ensure they meet the legal, financial, and programmatic requirements set forth by FEMA and the state's guidelines before submitting on behalf of the state to DHS/FEMA. As part of the review for the SAA must:

1. Conduct an eligibility review;

- 2. Review and score only complete application packages (including mission statements and vulnerability assessments) using the C-UAS Grant Program Scoring Criteria provided by DHS/FEMA;
- 3. Coordinate with the local and tribal governments, then prioritize projects that align with the NOFO requirements;
- 4. Submit IJs that are recommended for funding to DHS/FEMA; and,
- 5. Submit IJs received and not recommended for funding, including incomplete IJs and IJs from subapplicants deemed ineligible to DHS/FEMA.

#### b. Federal Review

All proposed investments will undergo a federal review by DHS/FEMA to ensure compliance with all administrative and eligibility criteria identified in the NOFO. The Federal Reviewers will check each proposed investment for the following: Eligibility, feasibility, and alignment with the application criteria listed in this NOFO.

#### F. Merit Review Process

The C-UAS Grant Program will utilize a technology effectiveness checklist.

- 1. Includes Mitigation = 30 points
  - Proposal includes kinetic or radio frequency intercept capabilities, such as spoofers, jammers, net systems or "kamikaze" drones and training (only FBI NCUTC training and equipment consistent with the technological capabilities of the equipment used at the FBI's NCUTC.
- 2. Includes Radar = 2 points
  - Proposal includes radar with a mission-appropriate use case and basic siting/coverage concept.
- 3. Includes Electro-Optical/Infrared (EO/IR) = 2 points
  - Proposal includes EO/IR with day/night operations and a simple integration/cueing concept.
- 4. Includes Passive RF (non-content) with direction-finding = 2 points
  - Proposal includes passive RF that inspects physical waveforms only (no content/payload reading) and names at least one DF method (TDOA, FDOA, POA, or AOA).
- 5. Includes Remote ID/broadcast beacon receivers = 2 points
  - Proposal includes Remote ID compliant with ASTM F3411-22a or vendor broadcast intended for government receipt without intercepting protected communications.
- 6. Detect–Track–Identify chain addressed = 2 points

- Proposal clearly describes how it will detect, track, and identify UAS (mitigation may be described only if properly authorized, but is not required to earn these points).
- 7. Deployment/connectivity equipment plan = 2 points
  - Proposal includes needed deployment and connectivity elements (e.g., networking gear, point-to-point or mesh links, vehicles/trailers/generators) to support the sensors.
- 8. Wide Area DTIM Software as a Service (SaaS) including but not limited to Surveillance as a Service and Data sharing as a Service (DaaS) alignment = 2 points
  - Proposal enables lawful data sharing with DHS, DOJ, DOE, and DOD C-UAS operating entities (e.g., data outputs/viewer/cloud access) and, if using DaaS, aligns with the described service model and local records/retention rules.
  - Proposal includes a service which has applied for or received FAA approval as a provider of unmanned traffic management (UTM) data through the FAA's Near-Term Approval Process (NTAP) for UTM Services program.
  - Proposal covers a major metropolitan area of at least 100 square miles.
- 9. Training and operator readiness = 2 points
  - Proposal provides a role-based training plan mapped to the proposed systems
     (operators/maintainers/supervisors), covers safety and applicable legal constraints for
     signal handling, and includes an exercise or validation component. If mitigation is
     proposed, operator qualifications are included only when authorization is
     documented.
- 10. Capability type: new vs. enhancement/maintenance = 1 or 2 points
  - Award 2 points if:
    - New capability: Introduces a function not currently present in the jurisdiction (e.g., first-time passive RF DF, first Remote ID deployment) with a clear deployment plan; OR
  - Award 1 point if:
    - o Enhancement/maintenance: Measurably expands coverage, improves detection/tracking quality, adds DF nodes, replaces end-of-life units, or sustains critical capability with a clear integration and sustainment plan.
- 11. Timely implementation ( $\leq 6$  months; 12 months) = 1 or 2 points
  - Award 2 points if:

- Proposal includes a realistic schedule and contracting/readiness steps to fully implement (procure, install, train, and operationalize) within 6 months of award.
- Award 1 point if:
  - Proposal includes a realistic schedule and contracting/readiness steps to fully implement (procure, install, train, and operationalize) within 12 months of award.

# 12. NSSE, SEAR 1 or 2 Events:

- Award 50 points if:
  - Proposal specifies support in cities hosting an event of National significance, including FIFA World Cup and national America 250 events with an NSSE, SEAR 1 or 2 level designation (applicant must specify name, date, and city of event and verify project implementation prior to the event).

Scoring sheet (for reviewers)

- Mitigation: 0 or 30
- Radar: 0 or 2
- EO/IR: 0 or 2
- Passive RF (non-content, DF): 0 or 2
- Remote ID/broadcast: 0 or 2
- Detect–Track–Identify: 0 or 2
- Deployment/connectivity: 0 or 2
- Wide Area DTIM Software as a Service (SaaS), including but not limited to Surveillance as a Service and Data sharing as a Service (DaaS) alignment: 0 or 2
- Training/readiness: 0 or 2
- Capability type (new or enhancement/maintenance): 1 or 2
- Timely implementation ( $\leq 6$  months; 12 months): 1 or 2
- NSSE, SEAR 1 or 2: 0 or 50
- Total: \_\_\_\_/ 100

Notes and conditions:

- If any mitigation is proposed without documented federal authorization and a basic legal compliance plan, mark those elements for removal or conditions and do not award training credit tied to mitigation operations.
- If passive RF includes content/payload interception without authorization, do not award item and flag for removal/conditions.

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

In coordination with the Federal Aviation Administration and the Department of Justice, FEMA will recommend funding of projects in rank order based on the risk and effectiveness. The Secretary of Homeland Security makes the final funding decisions, considering risk assessments, subject-matter expert input, and project feasibility, while also ensuring alignment with national priorities and compliance with legal, financial, and policy guidelines for strategic allocation of funds.

#### **8. Award Notices**

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

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

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

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

Recipients must accept their awards no later than *60 days from the award date*. Recipients shall notify FEMA of their intent to accept the award and proceed with work via the FEMA GO system.

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

#### **B.** Pass-Through Requirements

For the C-UAS Grant Program, SAAs must pass through 97% of funds to eligible subrecipients. The state may retain up to 3% to pay expenses directly related to the administration of the grant (i.e., Management and Administration (M&A) costs).

The only exception is that the SAA may retain a portion of funds with appropriate justification, to make equipment purchases or support activities at the state level that benefit state law enforcement agencies or address other statewide needs for this technology. The amount of funds

that can be retained by the SAA under this exception cannot exceed 20% of the total awarded funding.

"Pass-through" means SAAs must allocate funds to local and tribal governments. For detailed guidance on C-UAS Grant Program pass-through requirements and timelines, please see Section 8 of the FEMA Preparedness Grants Manual, which is incorporated by reference into this NOFO.

### C. Note Regarding Pre-Award Costs

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

# **D.** Obligation of Funds

Funds are obligated upon award.

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

FEMA informs the applicant about unsuccessful projects under C-UAS Grant Program at the time of the award.

# 9. Post-Award Requirements and Administration

# **A.** Administrative and National Policy Requirements

#### Presidential Executive Orders

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

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 UAS, or equipment or services for the detection, tracking, or identification of drones and UAS signals, consistent with the legal authorities of state, local, tribal, and territorial agencies. Recipients must comply with all applicable federal, state, and local laws and regulations, and adhere to any statutory requirements on the use of federal funds for such unmanned aircraft systems, equipment, or services.

#### Subrecipient Monitoring and Management

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

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

A recipient under this funding opportunity must comply with the DHS Standard Terms and Conditions in effect at the time of the federal award. The DHS Standard Terms and Conditions are available <u>online</u>. For continuation awards, the terms and conditions for the initial federal award will apply unless otherwise specified in the terms and conditions of the continuation award. The specific version of the DHS Standard Terms and Conditions applicable to the federal award will be in the federal award package.

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

# **C.** Financial Reporting Requirements

See the <u>Preparedness Grants Manual</u> Section 5.2, which is incorporated by reference into this NOFO, for information on financial reporting requirements.

#### **D.** Programmatic Performance Reporting Requirements

See the <u>Preparedness Grants Manual</u> Section 5.3, which is incorporated by reference into this NOFO, for information on performance reporting requirements.

# **E.** Closeout Reporting Requirements

See the <u>Preparedness Grants Manual</u> Section 5.5, which is incorporated by reference into this NOFO, for information on disclosing information per 2 C.F.R. § 180.335.

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

See the <u>Preparedness Grants Manual</u> Section 5.7, which is incorporated by reference into this NOFO, for information on disclosing information per 2 C.F.R. § 180.335.

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

See the <u>Preparedness Grants Manual</u> Section 5.8, which is incorporated by reference into this NOFO, for information on reporting of matters related to recipient integrity and performance.

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

See the <u>Preparedness Grants Manual</u> Section 6.9, which is incorporated by reference into this NOFO, for information on single audit reports.

#### I. Monitoring and Oversight

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

Pursuant to this right and per <u>2 C.F.R.</u> § <u>200.329</u>, DHS/FEMA 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/FEMA requests for information relating to a

federal award. See the <u>Preparedness Grants Manual</u> Section 6.1, which is incorporated by reference into this NOFO, for more information on monitoring and oversight.

It is strongly recommended that, prior to the testing, acquisition, installation, or use of UAS detection systems, entities seek the advice of counsel experienced with both federal and state criminal, surveillance, and communications laws. The co-signing agencies caution that SLTT and private sector entities to understand that federal laws may prevent, limit, or penalize the sale, possession, or use of UAS detection and mitigation technologies. Capabilities for detecting and mitigating UAS may implicate federal criminal laws relating to surveillance, accessing or damaging computers, and damage to an aircraft.<sup>3</sup>

#### J. Program Evaluation

Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), urges federal agencies to use program evaluation as a critical tool to learn, improve delivery, and elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency." Evidence Act, § 101 (codified at 5 U.S.C. § 311). OMB A-11, Section 290 (Evaluation and Evidence-Building Activities) further outlines the standards and practices for evaluation activities. Federal agencies are required to specify any requirements for recipient participation in program evaluation activities (2 C.F.R. § 200.301). Program evaluation activities incorporated from the outset in the NOFO and program design and implementation allow recipients and agencies to meaningfully document and measure progress and achievement towards program goals and objectives, and identify program outcomes and lessons learned, as part of demonstrating recipient performance (2 C.F.R. § 200.301). As such, recipients and subrecipients are required to participate in a Program Office (PO) or a DHS Component-led evaluation, if selected. This may be carried out by a third-party on behalf of the PO or the DHS Component. Such an evaluation may involve information collections including but not limited to, records of the recipients; surveys, interviews, or discussions with individuals who benefit from the federal award, program operating personnel, and award recipients; and site visits or other observation of recipient activities, as specified in a DHS Component or PO-approved evaluation plan. More details about evaluation requirements may be provided in the federal award, if available at that time, or following the award as evaluation requirements are finalized. Evaluation costs incurred during the period of performance are allowable costs (either as direct or indirect) in accordance with 2 C.F.R. § 200.413. Recipients and subrecipients are also encouraged, but not required, to participate in any additional evaluations after the period of performance ends, although any costs incurred to participate in such evaluations are not allowable and may not be charged to the federal award.

<sup>&</sup>lt;sup>3</sup> See Interagency Advisory on the Application of Federal Laws to the Acquisition and Use of Technology to Detect and Mitigate Unmanned Aircraft Systemshttps://www.dhs.gov/publication/interagency-legal-advisory-uas-detection-and-mitigation-technologies.

# **K.** Additional Performance Reporting Requirements

Award recipients must submit the following reports: quarterly financial reports, semi-annual performance reports, final financial and performance reports, and an annual audit report (if required). These must follow the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, found at 2 C.F.R. Part 200, or specific conditions of the award. If reports are late, future funding or fund access may be delayed, and additional reports may be requested in some cases.

#### L. Termination of the Federal Award

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

#### 2. Termination of the Federal Award by FEMA

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

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

vii. If the awardee falls out of compliance with the Agency's statutory or regulatory authority, award terms and conditions, or other applicable laws.

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

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

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

# 4. Termination by the Recipient or Subrecipient

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

#### 5. Impacts of Termination

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

#### 6. Notification requirements

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

#### 7. Opportunities to Object and Appeals

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

# 8. Effects of Suspension and Termination

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

#### M. Best Practices

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

### **N.** Payment Information

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

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

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

### **Processing and Payment Timeline**

FEMA must comply with regulations governing payments to grant recipients. See <u>2 C.F.R. §</u> <u>200.305</u>. For grant recipients other than States, <u>2 C.F.R. §</u> <u>200.305(b)(3)</u> 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, <u>2 C.F.R. §</u> <u>200.305(a)</u> instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements ("Treasury-State agreement") and default procedures codified at <u>31 C.F.R. part 205</u> and <u>Treasury Financial Manual (TFM) 4A-2000</u>, "Overall Disbursing Rules for All Federal Agencies." *See* <u>2 C.F.R. §</u> 200.305(a).

Treasury-State agreements generally apply to "major federal assistance programs" that are governed by 31 C.F.R. part 205, subpart A and are identified in the Treasury-State agreement. 31 C.F.R. §§ 205.2, 205.6. Where a federal assistance (grant) program is not governed by subpart A, payment and funds transfers from FEMA to the state are subject to 31 C.F.R. part 205, subpart B. Subpart B requires FEMA to "limit a funds transfer to a state to the minimum amounts needed by the state and must time the disbursement to be in accord with the actual, immediate cash requirements of the state in carrying out a federal assistance program or project. The timing and amount of funds transfers must be as close as is administratively feasible to a state's actual cash

outlay for direct program costs and the proportionate share of any allowable indirect costs." <u>31</u> <u>C.F.R. § 205.33(a)</u>. 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 <u>31 C.F.R. part 205</u>, <u>subpart B.</u>

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?
    - o If **no**, include statement "This grant funding is not being directed to a subrecipient."
  - If **ves**, provide the following details:
    - o The name, mission statement, and purpose of each subrecipient receiving funds, along with the amount allocated and the specific role or activity being reimbursed.
    - Whether the subrecipient's work or mission involves supporting aliens, regardless of whether FEMA funds support such activities.
    - Whether the payment request includes an activity involving support to aliens.
    - o Whether the subrecipient has any DEI practices.
- 5. Supporting documentation to demonstrate that expenses are allowable, allocable, reasonable, and necessary under <u>2 CFR part 200</u> and in compliance with the grant's NOFO, award terms, and applicable federal regulations.

For additional information regarding payments please see *Appendix C: Payment Requests*.

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

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

Standard Terms and Conditions, v. 3 (Apr. 18, 2025) are available at www.dhs.gov/publication/dhs-standard-terms-and-conditions.

### **10. Other Information**

**A.** Period of Performance Extension Extensions to the period of performance are allowed.

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

See the <u>Preparedness Grants Manual</u> Section 6.4, which is incorporated by reference into this NOFO, for information on period of performance extension.

### **B.** Other Information

## a. Environmental Planning and Historic Preservation (EHP) Compliance

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

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

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

EHP guidance is found at <u>Environmental Planning and Historic Preservation</u>. 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 <u>EHP Directive & Instruction</u>.

All FEMA actions, including grants, must comply with National Flood Insurance Program (NFIP) criteria or any more restrictive federal, state, or local floodplain management standards or building code (44 C.F.R. § 9.11(d)(6)). For actions located within or that may affect a floodplain or wetland, the following alternatives must be considered: a) no action; b) alternative locations; and c) alternative actions, including alternative actions that use natural features or nature-based solutions. Where possible, natural features and nature-based solutions shall be used. If not

practicable as an alternative on their own, natural features and nature-based solutions may be incorporated into actions as minimization measures.

# The GPD EHP screening form is located at

https://www.fema.gov/sites/default/files/documents/fema\_ehp-screening\_form\_ff-207-fy-21-100\_5-26-2021.pdf.

### b. Procurement Integrity

See the <u>Preparedness Grants Manual</u> Section 6.6, which is incorporated by reference into this NOFO, for information on procurement integrity.

### c. Financial Assistance Programs for Infrastructure

1. Recipients and subrecipients must comply with FEMA's implementation requirements of the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act §§ 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also 2 C.F.R. Part 184, Buy America Preferences for Infrastructure Projects and Office of Management and Budget (OMB), Memorandum M-24-02, Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

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

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

To see whether a particular FEMA federal financial assistance program is considered an infrastructure program and thus required to implement FEMA's Build America, Buy America requirements, please see <a href="Programs and Definitions: Build America, Buy America Act">Programs and Definitions: Build America, Buy America Act</a> FEMA.gov.

### 2. Waivers

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

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

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

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

### 3. Definitions

For definitions of the key terms of the Build America, Buy America Act, please visit <u>Programs</u> and <u>Definitions</u>: Build America, Buy America Act | FEMA.gov.

### d. Mandatory Disclosures

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

### e. Adaptive Support

See the <u>Preparedness Grants Manual</u> Section 4.4, which is incorporated by reference into this NOFO, for information on disability integration.

#### f. Record Retention

See the <u>Preparedness Grants Manual</u> Section 6.7, which is incorporated by reference into this NOFO, for information on record retention.

### g. Actions to Address Noncompliance

See the <u>Preparedness Grants Manual</u> Section 6.8, which is incorporated by reference into this NOFO, for information on actions to address noncompliance.

#### h. Audits

See the <u>Preparedness Grants Manual</u> Section 6.9, which is incorporated by reference into this NOFO, for information on audits.

# 11. Appendix A: State and Territory Minimums with Competitive Risk Tiers

For Fiscal Year 2026, DHS/FEMA will prioritize \$250 million in funding for the 11 states that are directly or indirectly hosting FIFA World Cup 2026 events and the NCR, which is hosting national America 250 events. All of the FIFA and NCR America 250 events are designated as Special Event Assessment Rating (SEAR) 1 or 2. These states and the NCR will receive statutory minimums established under the SHSP, with additional funds allocated competitively based on the SEAR level of hosted events (representing risk), and the anticipated effectiveness of proposed projects.

Risk Tier	State	Minimum Allocation	Funding Available for Competitive Process
Tier 1	Texas	\$3,325,000	\$105,050,000
	Florida	\$3,325,000	
	National Capital Region	\$3,325,000	
	New York	\$3,325,000	
	New Jersey	\$3,325,000	
Tier 2	California	\$3,325,000	\$105,050,000
	Georgia	\$3,325,000	
	Missouri	\$3,325,000	
	Kansas	\$3,325,000	
	Massachusetts	\$3,325,000	
	Washington	\$3,325,000	
	Pennsylvania	\$3,325,000	
Total		\$250,000,000	

# 12. Appendix B: Allowable Activities

To maximize the impact of the grant program, POETE activities should be integrated into a cohesive strategy. For example:

- **Planning:** Develop a UAS response plan.
- Organization: Cover program management costs and operational overtime.
- **Equipment:** Procure/deploy DTIM systems.
- **Training:** Train personnel on system operation and response protocols.
- Exercises: Test the system and response plan in a simulated incident.

By funding activities across the POETE framework, the C-UAS Grant Program can ensure a comprehensive approach to building and sustaining capabilities for the detection, tracking, identifying and mitigation (DTIM) technologies to support public safety officials in the protection of the public and critical infrastructure from nefarious or unlawful use of UAS. Additional examples of the POETE framework applied to the C-UAS Grant Program include, but are not limited to:

Purpose	Туре	Examples				
Planning						
Plan Development	Operations	<ul><li>Implementation Plan</li><li>Standard Operating Procedures</li></ul>				
Organization						
System Deployment	Personnel	<ul><li>Program Management</li><li>Operational Overtime</li></ul>				
Equipment						
Detection	Sensors	<ul><li>Radar systems</li><li>Electro Optical and Infrared Cameras</li></ul>				
Detection	Cameras	Passive Acoustic Systems				
	Remote ID Systems	<ul> <li>Remote ID Receivers</li> <li>GPS-Based Tracking Systems</li> <li>ADS-B (Automatic Dependent Surveillance-Broadcast) Receivers</li> <li>Wi-Fi and Bluetooth Receivers Radios</li> </ul>				
Tracking	Broadcast Beacon Receivers					
	UAS Identification Systems	<ul> <li>Remote ID Decoders</li> <li>AI-Based Video Analytics</li> <li>RF Signal Triangulation</li> <li>Geolocation Systems</li> </ul>				
Identification	Operator Identification Systems					
	UAS Forensics Tools					
	Radio Frequency Systems	<ul> <li>Fixed or mounted jammers</li> <li>GPS or Command and control Spoofers</li> <li>Net deployment systems</li> <li>Intercept (a.k.a. kamikaze) UAS</li> </ul>				
Mitigation	Kinetic Systems					

Purpose	Туре	Examples			
	Vehicles	Trailers			
Deployment, Operation	Services/Subscriptions	<ul><li>Generators</li><li>Point to Point links</li><li>Mesh Networking</li></ul>			
& Maintenance	Equipment				
	Operations and Maintenance				
Training					
Detection, Tracking, Identification	Vendor-based	Training			
Mitigation	FBI's NCUTC	<ul><li>Training</li><li>Certification</li></ul>			
Exercises					
Detection, Tracking, Identification, Mitigation	Internally Executed Vendor-supported	<ul> <li>Seminar</li> <li>Workshop</li> <li>Tabletop Exercise</li> <li>Drill</li> <li>Functional Exercise</li> <li>Full-Scale Exercise</li> </ul>			

<sup>\*</sup>This list is not exhaustive, all C-UAS costs must be in certified as compliant with Title 18 by the Department of Justice.

# a. Additional Details on the Technology or Services Covered by this Grant Program

Entities must purchase technologies that comply to all applicable federal statutes as well as the laws of jurisdictions where the equipment will be located and operated. It is strongly recommended that, prior to the testing, acquisition, installation, or use of UAS detection systems, entities seek the advice of counsel experienced with both federal and state criminal, surveillance, and communications laws. This is particularly important because potential legal prohibitions are not based on broad classifications of systems (e.g., active versus passive, detection versus mitigation), but instead are based on the functionality of each system and the specific ways in which a system operates and is used. A thorough understanding of both applicable law and the systems' functionality will ensure important technologies designed to protect public safety, by detecting and/or mitigating UAS threats, are used effectively, responsibly, and legally. C-UAS technologies exist to support public safety officials in protection of public and critical infrastructure from nefarious or unlawful use of UAS. These technologies employ a variety of sensors and processes which detect, track, identify, and mitigate a threat UAS. Detection, tracking and identification of UAS may be provided by a third-party as a service, generally for wide-area UAS airspace awareness. To facilitate protection of a fixed site or public event, different detection, tracking and identification equipment is used, generally owned, and paired with mitigation technologies. Proper training, maintenance and use of these technologies ensure safe employment in the National Airspace and efficacy in protecting the public. Funding under this grant program may be used for:

#### 1. Active Radar

<u>Description:</u> Radars generally operate by transmitting a radio signal of known frequency and power in a focused direction and then detecting the reflected signal that is bounced back from the target.

### 2. Passive Radar – Radio Frequency (RF)

<u>Description</u>: Passive radar systems used to track drones detect and track targets by analyzing reflections of existing electromagnetic and radio frequency signals, such as commercial broadcast, cellular, or navigation transmissions, rather than emitting their own signals. By comparing direct-path and reflected signals, passive radar determines the range, velocity, and trajectory of a drone. These systems are well-suited for urban and sensitive environments due to their non-emissive nature. They are effective against small drones, especially when integrated with data fusion platforms, providing continuous monitoring without contributing to the electromagnetic spectrum or requiring dedicated transmissions.

### 3. Electro Optical and Infrared Cameras

<u>Description:</u> EO/IR sensors are digital video cameras that collect environmental information in the visible and infrared light spectrum.

### 4. RF Direction Finding

<u>Description:</u> Radio frequency (RF) directional finders used to detect and track drones passively scan the electromagnetic spectrum for the presence of drone emissions, such as command-and-control (C2) links and telemetry signals. These systems identify signal sources without intercepting or decoding protected content. Directional antennas and triangulation techniques determine bearing and geolocation of active drone and controller signals. RF finders support situational awareness by alerting operators to unauthorized drone activity and cueing other sensors. When integrated into multi-sensor C-UAS systems, they enhance threat detection and classification without capturing the content of private communications.

<u>Specifications:</u> Systems that rely solely on inspecting the physical waveform of the RF Spectrum to identify and classify UAS-related signals based on their unique characteristics and/or direction-finding techniques are permitted. The following are common passive RF system direction-finding techniques which do not require additional statutory authority, and are therefore permissible for purchase through this grant program:

- Time Difference of Arrival (TDOA)
- Frequency Difference of Arrival (FDOA)
- Power of Arrival (POA)
- Angle of Arrival (AOA)

## 5. Passive Acoustic Systems

<u>Description:</u> Acoustic sensors are passive and use high sensitivity microphone arrays coupled with audio analysis applications to detect, track and identify sounds produced by UAV motors and propellers.

#### 6. Remote ID and similar broadcast beacon receivers

<u>Description</u>: Remote ID is the ability of a UAS in flight to provide identification and location information that can be received by other parties or is generally accessible to the general public through a broadcast signal. Some UAS manufacturers may also voluntarily broadcast UAS telemetry using protocols not compliant with ASTM F3411-22a but with the express intent of it being received by government agencies. *See* <u>Remote Identification of Drones | Federal Aviation Administration</u> for more information on Remote ID and associated FAA requirements.

# 7. Mitigation

<u>Description:</u> Mitigation equipment and software, such as jammers, spoofers, and intercept UAS, may only be utilized by FBI-trained and certified personnel with an authorized federal agency or department or separately authorized by law. Equipment procurement may only occur when certified training at the FBI's NCUTC is scheduled or completed. In addition, the mitigation technologies procured via this program for radio frequency systems, kinetic systems, and advanced DTI must be consistent with the technological capabilities of the equipment used at the FBI's NCUTC. Contact the FBI training center for additional information on training and equipment capabilities. *All recipients of mitigation technology and training must make FEMA funded mitigation technology (including operators) available for use to other agencies or venues through a memorandum of understanding (MOU) or memorandum of agreement (MOA)*.

### 8. Constraints - Interception of payload content

The grant program may not be used to purchase DTI systems which also gather UAS "payload data", which is any data that is not the aeronautical communications of "control and non-payload communications" (47 CFR § 88.5) of a UAS transmission that is sent between the unmanned aircraft component and the UAS ground station of the UAS and that supports the safety or regularity of the UA's flight.

### 9. Third Party Data Service Providers

Vendors that deliver UAS detection data by one of the above means using equipment owned by the service provider typically employ a business model where detection hardware, software, and supporting infrastructure is set up in a geographical location and access to data is sold to various authorized users. As such, this grant may be used to fund third party data purchases from data as a service (DaaS) providers to manage, analyze, and utilize data outputs from the purchased system(s). The most comprehensive systems include built-in FAA-approved B4UFLY and LAANC tracking. This grant program provides scoring preference for services that have received or have applied for FAA approval as a UTM data provider.

# 10. Equipment for deployment, operation, and maintenance

This grant may be used to purchase other equipment required to deploy, operate, and maintain the aforementioned sensors, such as:

- Vehicles, trailers, generators, etc. required to transport and deploy sensors
- Services, subscriptions, software licenses
- Equipment required to connect sensors, to include traditional networking equipment, as well as tactical systems such as Point to Point links and mesh networking.
- Operations and maintenance

### 11. Training and Exercises

This grant may be used to fund training (including related travel expenses) of grant recipient agency personnel to operate and maintain the purchased equipment, as well as exercises to test the capacity of grant recipient agencies to successfully employ the acquired capabilities.

a. FBI Training and Equipment Capability Requirements for Mitigation Technologies
Funds for C-UAS mitigation capabilities (e.g., kinetic or non-kinetic technologies used to
disable, destroy, or seize control of UAS during flight) may only be authorized for law
enforcement or correctional agencies with personnel who have been trained or are scheduled to
be trained at the FBI's National C-UAS Training Center on C-UAS mitigation operations.
Additionally, mitigation technologies procured through this program, including radio frequency
systems, kinetic systems, and advanced detection, tracking, and identification (DTI) systems,
must be consistent with the technological capabilities of the equipment used at the FBI's
National C-UAS Training Center.

### 13. Appendix C: Investment Justifications

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

### **Investment Justification Framework**

Each applicant (state-level recipient) must submit an **Investment Justification** (**IJ**) form that includes information for each funding category for which they are requesting funding. Any sections of allowable funding categories not being pursued may be skipped by placing "Not Applicable" in that section. The IJ must address the recipient's overarching strategy, the intent to include subrecipients, and how subrecipient projects will contribute to achieving program goals. The IJ should demonstrate how the proposed project aligns with the **C-UAS Grant Program's objectives** and enhances the applicant's capabilities to detect, track, and respond to threats posed by unmanned aircraft systems (UAS). Applicants are encouraged to structure their IJ using the **POETE (Planning, Organization, Equipment, Training, and Exercises)** framework to ensure their projects address all necessary aspects of capability development.

### a. Investment Justification Components

### 1. Project Description

#### • What to Include:

- Describe the planned activities, services, or equipment purchases that will be funded by the grant.
- o Provide a clear overview of the project's purpose, scope, and intended outcomes.

#### • **POETE Connection:**

- o Break down the project into relevant POETE categories. For example:
  - **Planning:** Developing a UAS response plan to integrate detection systems into existing emergency operations plans.
  - **Organization:** Establishing a regional UAS task force to oversee detection and response efforts.
  - **Equipment:** Procuring radar-based UAS detection systems and sensor fusion software.
  - **Training:** Conducting FBI-certified training for first responders on UAS detection and response protocols.
  - **Exercises:** Organizing a full-scale exercise to test the effectiveness of the detection system and response plan.

### 2. Capability Gap

### What to Include:

- Explain how the planned activities will address or have addressed gaps in public safety and security.
- Describe the specific threats, vulnerabilities, or risks posed by UAS in the applicant's jurisdiction.
- o Highlight current gaps in UAS detection, tracking, or response capabilities.

### • POETE Connection:

- o Link the identified capability gaps to the POETE framework. For example:
  - "Our jurisdiction lacks the Equipment to detect unauthorized UAS activity near critical infrastructure, as well as the Training to ensure first responders can effectively operate detection systems."

### 3. Project Objectives

### What to Include:

- Specify how the requested funding will address the objectives listed in Appendix B of the NOFO for the relevant allowable activity.
- Describe how the project will enhance public safety, protect critical infrastructure, and mitigate UAS-related threats.

### • POETE Connection:

- o Connect the project objectives to POETE activities. For example:
  - "The objective of this project is to deploy UAS detection systems (**Equipment**) and develop a comprehensive response plan (**Planning**) to enhance our jurisdiction's ability to detect and respond to unauthorized UAS activity."

# 4. Subrecipient Impact (If Applicable)

# • What to Include:

- o Describe how subrecipients (e.g., local or tribal governments, public safety entities) will assist in the described activities.
- o Explain how subrecipient projects will contribute to achieving the program's goals.

### • **POETE Connection:**

- o Highlight how subrecipients will support POETE activities. For example:
  - "Subrecipients will conduct **Training** for first responders and organize **Exercises** to test the integration of UAS detection systems into local emergency response plans."

#### 5. Performance Goals

### • What to Include:

- Specify how the requested funding will address the performance goals listed in Appendix B of the NOFO for the relevant allowable activity.
- Identify specific, measurable outcomes that will be used to evaluate the project's success.

### • POETE Connection:

- o Tie performance goals to POETE activities. For example:
  - "Performance goals include the deployment of two UAS detection systems (**Equipment**), the training of 50 first responders on UAS detection protocols (**Training**), and the completion of one multi-agency tabletop exercise (**Exercises**)."

# 6. Budget and Timeline

### What to Include:

- o Provide a detailed budget breakdown for project costs, including labor, materials, equipment, and administrative expenses.
- o Include timelines for project completion and implementation, with key milestones clearly identified.

### • POETE Connection:

- o Categorize costs under POETE. For example:
  - **Planning:** \$10,000 for consultant services to develop a UAS response plan.
  - **Equipment:** \$150,000 for radar-based UAS detection systems.
  - **Training:** \$25,000 for FBI-certified training on UAS detection and response.
  - Exercises: \$15,000 for a full-scale exercise to test the system and response plan.

### b. Additional Guidance for Completing the IJ

- Use Data to Support the Need: Include data, risk assessments, or real-world examples to substantiate the operational need for UAS detection capabilities.
- **Focus on Impact:** Emphasize how the project will enhance public safety, protect critical infrastructure, and address UAS-related threats.
- **Be Specific and Measurable:** Avoid vague statements. Provide concrete details about the project's scope, activities, and expected outcomes.

By following this framework and guidance, applicants can ensure their Investment Justification is comprehensive, well-structured, and clearly aligned with the C-UAS Grant Program's objectives and the POETE framework. This will help streamline the application review process and ensure that funding is awarded to projects that effectively enhance UAS DTIM capabilities.