



FEMA

Grant Programs Directorate Information Bulletin
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MEMORANDUM FOR: All State Administrative Agency Heads
All State Administrative Agency Points of Contact
All Urban Area Security Initiative Points of Contact
All State Homeland Security Directors
All State Emergency Management Agency Directors
All Eligible Regional Transit Agencies
All Transportation Security Partners
All Port Security Partners
All Tribal Nation Points of Contact

FROM: Erin Hoffman
Senior Official Performing the
Duties of Deputy Administrator
for Resilience

A handwritten signature in black ink, appearing to read "Erin Hoffman", written over a light gray rectangular background.

SUBJECT: ***Policy and Process for Foreign National Vetting in FEMA Non-Disaster Grant Programs***

I. Purpose

This Information Bulletin (IB) explains FEMA's policy and process for foreign national vetting under non-disaster grant programs beginning with Fiscal Year (FY) 2025 Notices of Funding Opportunity (NOFO), consistent with the Immigration Reform and Control Act of 1986, and 2 C.F.R. Part 200 and in accordance with 2 C.F.R. Part 200 and the terms included in applicable FEMA non-disaster NOFOs.

Under this policy, subrecipients are responsible for vetting all personnel charged to the award, and recipients collect and submit subrecipient certifications to FEMA or certify to FEMA that the award has no subrecipients. This IB supersedes any inconsistent prior guidance for FY 2025 non-disaster grant programs.

Guidance templates will be provided for:

- Subrecipient Template Certification of Compliance with Foreign National Vetting Requirements

- Recipient Template Certification of Compliance with Foreign National Vetting Requirements

II. Applicability

A. Covered Programs

This IB applies to awards made under the following FEMA non-disaster grant program Notices of Funding Opportunity issued in Fiscal Year 2025 and later (and any future non-disaster program Notice of Funding Opportunity containing a foreign national vetting clause):

- BioWatch
- Building Resilient Infrastructure and Communities (BRIC)
- Community Assistance Program–State Support Services Element (CAP-SSSE)
- Counter-Unmanned Aircraft Systems Grant Program (C-UAS)
- Detention Support Grant Program (DSGP)
- Emergency Food and Shelter Program (EFSP)
- Emergency Management Performance Grant (EMPG)
- FIFA World Cup Grant Program (FWCGP)
- Flood Mitigation Assistance (FMA)
- Flood Mitigation Assistance Swift Current
- Homeland Security Grant Program (HSGP)
- Homeland Security National Training Program – Alliance for System Safety of Unmanned Aircraft Systems through Research Excellence (HSNTP-ASSURE)
- Homeland Security National Training Program – Continuing Training Grants (HSNTP-CTG)
- Homeland Security National Training Program – National Cybersecurity Preparedness Consortium (HSNTP-NCPC)
- Homeland Security National Training Program – National Domestic Preparedness Consortium (HSNTP-NDPC)
- Intercity Bus Security Grant Program (IBSGP)
- Intercity Passenger Rail (IPR)
- National Dam Safety Program (NDSP)
- National Earthquake Hazards Reduction Program – Individual State Earthquake Assistance (NEHRP-ISEA)
- National Earthquake Hazards Reduction Program - Multi-State and National Earthquake Assistance (NEHRP-MSNEA)
- National Incident Management System (NIMS)
- Next Generation Warning System Grant Program (NGWSGP)
- Nonprofit Security Grant Program (NSGP)
- Port Security Grant Program (PSGP)
- Regional Catastrophic Preparedness Grant Program (RCPGP)
- State and Local Cybersecurity Grant Program (SLCGP)
- State Border Security Reinforcement Fund (SBSRF)

- State Fire Training Systems Grant (SFT)
- Targeted Violence and Terrorism Prevention (TVTP)
- Tribal Cybersecurity Grant Program (TCGP)
- Tribal Homeland Security Grant Program (THSGP)
- Urban Search and Rescue Response System (US&R)

III. Guidance

A. Authorities

- *Immigration Reform and Control Act of 1986 (IRCA), Pub. L. No. 99-603, 100 Stat. 3359*
- *8 C.F.R. Part 274a (Employment Eligibility Verification)*
- *2 C.F.R. §§ 200.430–200.431 (Compensation – Personal Services and Fringe Benefits)*
- *2 C.F.R. § 200.302 (Financial Management) and § 200.334 (Record Retention)*
- *Applicable FY 2025 (and subsequent) FEMA Non-Disaster NOFOs*

B. Requirements

Starting in FY 2025, FEMA non-disaster NOFOs included explicit requirements for the vetting and documentation of foreign nationals for **subrecipients** planning to charge personnel costs to federal awards.

Non-disaster NOFOs issued starting in FY 2025 state:

“Subapplicants should not have foreign nationals or noncitizens included. If a subapplicant has foreign nationals, they should be properly vetted and should adhere to all government statutes, policies, and procedures including ‘staff American, stay in America’ and security requirements.”

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

C. Policy Requirements

The vetting obligation applies at the **subrecipient level**. Recipients are responsible for ensuring subrecipient compliance and for transmitting subrecipient certifications to FEMA. Key requirements include:

- Subrecipients vet every individual whose salary, wages, or fringe benefits are charged as personnel costs to the subaward, including both new hires and currently employed foreign nationals.

- Subrecipients prioritize hiring and retaining American workers for grant-funded activities.
- Subrecipients may charge time and salaries for foreign nationals to the grant once proper vetting is completed and the recipient has satisfied the certification requirements described in this IB.
- Subrecipients apply hiring practices uniformly and consistent with federal anti-discrimination laws.
- Employment eligibility verification relies on completing and retaining Form I-9 for every employee charged to the award.
- If no foreign nationals are funded, the subrecipient submits a certification of compliance to their primary recipient rather than personnel-level documentation.
- Recipients collect subrecipient certifications and submit them to FEMA, or certify to FEMA that the award has no subrecipients.

Note: FEMA does not collect Form I-9, PII, or background investigation materials. Do not send or upload these records into FEMA GO. All such records must be retained locally by the employing entity and provided only upon specific request during monitoring or audit.

D. Definitions

- **Foreign National:** A person without U.S. citizenship or nationality (may include a stateless person). This term is synonymous with “alien” as defined in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)).
- **Personnel Costs:** Salaries, wages, and fringe benefits charged to a federal award under 2 C.F.R. §§ 200.430–200.431.
- **Recipient (Primary Recipient):** The non-federal entity that receives a federal award directly from FEMA (e.g., State Administrative Agency) to carry out an activity under a Federal program.
- **Subrecipient:** A non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal award.
- **Vetting:** The process of confirming employment eligibility and conducting risk-appropriate review of personnel funded under a federal award.

IV. Submission and Review Process

A. Roles and Responsibilities

- Subrecipients vet all personnel charged to the subaward and complete the Subrecipient Certification (Appendix B), which they submit to the recipient.
- Recipients consolidate subrecipient certifications using the Recipient Certification (Appendix A). Recipients then submit this to FEMA in FEMA GO . If a recipient has no subrecipients, the recipient submits a Recipient Certification to FEMA affirmatively stating that no subrecipients exist under the award.

Certifications should be submitted upon award and updated whenever there are changes to grant-funded personnel.

B. Standard Compliance Certification

1. Recipients submit a compliance certification package through FEMA GO.
2. Subrecipients provide the recipient with the information needed to complete the certification.

C. Submission Timing for Recipients

| Requirement | Deadline | Submission Method | Notes |
|------------------------------|---|-------------------------------------|---|
| Initial Certification | No later than December 31, 2026 | FEMA GO upload (initial submission) | Submit as part of post-award documentation. Extended deadline due to date of implementation guidance release |
| Ongoing Certification | Whenever grant-funded personnel change (e.g., new hires, departures, changes in status) | FEMA GO upload (ad hoc submission) | Update as soon as changes occur |

Note: This process applies to recipients. Recipients will need to develop a plan that works for them to collect subrecipient information, if applicable.

D. Submission Steps

1. Each subrecipient completes the Subrecipient Certification (Appendix B) and submits it to the recipient.
2. The recipient consolidates all subrecipient certifications, or documents that no subrecipients exist under the award.
3. The recipient completes the Recipient Certification of Compliance (Appendix A) and confirms that all required reviews have been completed.
4. The recipient uploads the certification package to FEMA GO (<https://go.fema.gov>) as an amendment or supporting document.
5. The recipient responds promptly to any FEMA requests for additional information.

E. FEMA Review and Determinations

- **Acceptance:** Certification is accepted.
- **Request for Additional Information:** Additional information is requested.
- **Denial:** Costs for affected personnel may not be incurred until FEMA issues clearance.

Reminder:

Timely submission and updates are required. Recipients are responsible for monitoring subrecipient compliance and maintaining documentation for audit purposes.

B. Consequences for Non-Compliance

Failure to submit the required certification within the specified timeframe, or failure to comply with vetting requirements, may result in any funding holds, corrective action plans, cost disallowances, or other remedies consistent with the award terms and 2 C.F.R. Part 200.

IV. Questions

Questions regarding this IB may be directed to the FEMA Grant Programs Directorate at fema-gpd-grantprograms@fema.dhs.gov or to the assigned FEMA Preparedness Officer of record. Recipients may also consult their FEMA Regional Office.