



FEMA

Grant Programs Directorate Information Bulletin

No. 582

September 18, 2026

MEMORANDUM FOR: All State Administrative Agency Heads
All State Administrative Agency Points of Contact
All Urban Area Security Initiative Points of Contact
All State Emergency Management Agency Directors
All Eligible Regional Transit Agencies
All Private Sector Transportation Security Partners
All Public and Private Sector Port Security Partners
All Tribal Nation Leaders
All Tribal Nation Points of Contact

FROM: Cynthia Spishak
Acting Associate Administrator
Resilience

A handwritten signature in black ink, appearing to read "Cynthia Spishak", written over a light gray background.

SUBJECT: **Department of Homeland Security Standard Terms and
Conditions Applicability for Certain Grant Program Funds
Awarded On or After August 28, 2026**

I. Purpose

The purpose of this Information Bulletin is to inform grant recipients, subrecipients, and pass-through entities of the applicability of certain Fiscal Year (FY) 2026 DHS Standard Terms and Conditions published on August 28, 2026, and agreement articles for certain non-disaster grant programs in response to recent policy updates and court orders.

II. Applicability

The guidance in this Information Bulletin applies to non-disaster awards that apply the FY 2026 DHS Standard Terms and Conditions published on August 28, 2026.

III. Guidance

A. Standard DHS Immigration Terms and Conditions

This subsection details the specific applicability of the FY 2026 DHS Standard Term and Condition titled “Communication and Cooperation with the Department of Homeland Security and Immigration Officials.” (“Standard DHS Immigration Term and Condition”).

Programs for which the FY 2026 Standard DHS Immigration Term and Condition applies are listed in Paragraph 1, “Applicability of Standard DHS Immigration Terms and Conditions.” Programs for which the FY 2026 Standard DHS Immigration Term and Condition do not apply are listed in Paragraph 2, “Non-Applicability of Standard DHS Immigration Term and Condition.”

1. Applicability of Standard DHS Immigration Term and Condition

Notwithstanding any contrary language in the programs’ Notices of Funding Opportunity, the FY 2026 DHS Standard Term and Condition titled “Communication and Cooperation with the Department of Homeland Security and Immigration Officials” applies to grant funds awarded by FEMA on or after August 28, 2026, under the following programs:

- BioWatch
- Emergency Management Performance Grant Program
- Homeland Security Grant Program (State Homeland Security Program, Urban Area Security Initiative, and Operation Stonegarden)
- Homeland Security National Training Program – Continuing Training Grant – Competitive
- Port Security Grant Program
- Regional Catastrophic Preparedness Grant Program
- Securing the Cities
- State Border Security Reinforcement Fund
- Transit Security Grant Program

2. Non-Applicability of Standard DHS Immigration Term and Condition

Notwithstanding any contrary language in the programs’ Notices of Funding Opportunity, the FY 2026 DHS Standard Term and Condition titled “Communication and Cooperation with the Department of Homeland Security and Immigration Officials” does not apply to grant funds awarded by FEMA on or after August 28, 2026, under the following programs:

- Assistance to Firefighters Grants
- Fire Prevention and Safety Grants

- Staffing for Adequate Fire and Emergency Response
- Building Resilient Infrastructure and Communities
- Community Assistance Program – State Support Services Element
- Cooperating Technical Partners
- Emergency Food and Shelter
- Emergency Operations Center Grant Program
- Flood Mitigation Assistance
- Flood Mitigation Assistance: Swift Current
- Homeland Security National Training Program – Alliance for System Safety of UAS through Research Excellence
- Homeland Security National Training Program – National Cybersecurity Preparedness Consortium
- Homeland Security National Training Program – National Domestic Preparedness Consortium
- Individual State Earthquake Assistance
- Intercity Bus Security Grant Program
- Intercity Passenger Rail Program
- Multi-State and National Earthquake Assistance
- National Dam Safety Program
- National Incident Management System
- Next Generation Warning System
- Nonprofit Security Grant Program
- Pre-Disaster Mitigation
- Rehabilitation of High Hazard Potential Dams
- Safeguarding Tomorrow Revolving Loan Fund
- State Fire Training Systems
- Tribal Homeland Security Grant Program
- Urban Search and Rescue

B. Standard DHS Termination Term and Condition and Additional Terms and Conditions

This subsection includes additional Agreement Articles that apply to non-disaster awards issued on or after August 28, 2026.

1. Non-Applicability of Specific Terms and Agreement Articles Regarding Termination

The termination condition in Subsection III.B.2 of Information Bulletin No. 582 applies to non-disaster grant funds awarded by FEMA on or after August 28, 2026. The FY 2026 DHS Standard Term and Condition titled “Termination of a Federal Award” and the Agreement Article titled “Termination of a Federal Award” in this award package does not apply to non-disaster grant funds awarded by FEMA on or after August 28, 2026.

2. Termination Condition

a. Termination of the federal award by FEMA:

- i. FEMA, in its sole discretion, may terminate the federal award in whole or in part for one of the following reasons consistent with 2 C.F.R. § 200.340:
 1. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.
 2. With the consent of the recipient, in which case FEMA and the recipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
 3. If the federal award no longer effectuates the program goals or agency priorities. Under this provision, FEMA may terminate the award for these purposes if any of the following reasons apply:
 - a. FEMA determines that a specific award objective is ineffective at achieving program goals as described in the Notice of Funding Opportunity;
 - b. FEMA determines that an objective of the award as described in the Notice of Funding Opportunity will be ineffective at achieving program goals or agency priorities;
 - c. FEMA determines that the design of the grant program is flawed relative to program goals or agency priorities;
 - d. FEMA determines that the grant program is not aligned to either the DHS Strategic Plan, the FEMA Strategic Plan, or successor policies or documents;
 - e. FEMA changes or re-evaluates the goals or priorities of the grant program and determines that the award will be ineffective at achieving the updated program goals or agency priorities; or
 - f. For other reasons based on program goals or agency priorities described in the termination notice provided to the recipient pursuant to 2 C.F.R. § 200.341.
 4. For convenience, including if the award no longer advances the national interest. Termination for convenience only applies to discretionary awards, as that term is defined at 2 C.F.R. § 200.1. The term “discretionary award” does not include grants where legislation establishes an entitlement to the funds on the part of the recipient, such as block grants or those awarded based on a statutory formula.

- b. Termination of a Subaward by the Pass-Through Entity:
 - i. The pass-through entity may terminate a subaward in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:
 - 1. If the subrecipient fails to comply with the terms and conditions of the federal award.
 - 2. With the consent of the subrecipient, in which case the pass-through entity and the subrecipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
 - ii. If the pass-through entity's award has been terminated, the pass-through entity must terminate its subawards.
- c. Termination by the Recipient or Subrecipient:
 - i. The recipient or subrecipient may terminate the federal award in whole or in part as identified in 2 C.F.R. § 200.340 upon sending FEMA or pass-through entity a written notification of the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if FEMA or pass-through entity determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, FEMA or pass-through entity may terminate the federal award in its entirety.
- d. Impacts of Termination:
 - i. When FEMA terminates the federal award in whole or in part before the end of the period of performance due to the recipient's or subrecipient's material failure to comply with the terms and conditions of the federal award, FEMA will report the termination in SAM.gov in the manner described at 2 C.F.R. § 200.340(c).
 - ii. When the federal award is terminated in part or its entirety, FEMA or pass-through entity and recipient or subrecipient remain responsible for compliance with the requirements in 2 C.F.R. §§ 200.344 and 200.345.
- e. Notification Requirements:
 - i. 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.
- f. Opportunities to Object and Appeals:
 - i. 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.

- g. Effects of Suspension and Termination:
 - i. The allowability of costs to the recipient or subrecipient resulting from financial obligations they incurred during a suspension or after the termination of a federal award are subject to 2 C.F.R. § 200.343.
- 3. Non-Applicability of Specific Terms and Agreement Articles Pursuant to County of Santa Clara, et al. v. Noem, et al.

Pursuant to the preliminary injunction order issued on November 21, 2025, in County of Santa Clara et al. v. Noem, et al., No. 25-cv-08330-WHO (N.D. Cal.), the following terms and conditions do not apply to non-disaster awards issued on or after August 28, 2026, for plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" and the Agreement Article titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" in this award package; and (2) the DHS Standard Term and Condition titled "All Executive Orders Related to Grants" and the Agreement Article titled "All Executive Orders Related to Grants" in this award package. If the preliminary injunction is extended to cover additional plaintiffs, these terms and conditions will also not apply to any awards issued to those plaintiffs.

If the preliminary injunction is stayed, vacated, or extinguished, the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act", the "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" Agreement Article, the DHS Standard Terms and Conditions titled "All Executive Orders Related to Grants," and the Agreement Article titled "All Executive Orders Related to Grants" will immediately become effective.

- 4. Non-Applicability of Specific Terms and Agreement Articles Pursuant to City of Chicago et al. v. Noem, et al.

Pursuant to the preliminary injunction orders issued on November 21, 2025, and March 2, 2026, in City of Chicago et al. v. Noem, et al., No. 25-CV-12765 (N.D. Ill.), the following terms and conditions do not apply to non-disaster awards issued on or after August 28, 2026, for plaintiffs subject to the preliminary injunction orders while the orders remain in effect: (1) the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" and the Agreement Article titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" in this award package; and (2) the DHS Standard Term and Condition titled "All Executive Orders Related to Grants" and the Agreement Article titled "All Executive Orders Related to Grants" in this award package. If the preliminary injunction is

extended to cover additional plaintiffs, these terms and conditions will also not apply to any awards issued to those plaintiffs.

If the preliminary injunctions are stayed, vacated, or extinguished, the DHS Standard Term and Condition titled “Federal Anti-Discrimination Laws Material to the Government’s Payment Decisions Under the False Claims Act”, the “Federal Anti-Discrimination Laws Material to the Government’s Payment Decisions Under the False Claims Act” Agreement Article, the DHS Standard Term and Condition titled “All Executive Orders Related to Grants,” and the Agreement Article titled “All Executive Orders Related to Grants” will immediately become effective.

5. Non-Applicability of Specific Terms and Agreement Articles Pursuant to City of Seattle v. Trump, et al.

Pursuant to the preliminary injunction orders issued on October 31, 2025, and June 29, 2026, in City of Seattle v. Trump, et al., No. 2:25-cv-01435-BJR (W.D. Wa.), the following terms and conditions do not apply to non-disaster awards issued on or after August 28, 2026, for plaintiffs subject to the preliminary injunction orders while the orders remain in effect: the DHS Standard Term and Condition titled “Federal Anti-Discrimination Laws Material to the Government’s Payment Decisions Under the False Claims Act” and the Agreement Article titled “Federal Anti-Discrimination Laws Material to the Government’s Payment Decisions Under the False Claims Act” in this award package. If the preliminary injunction is extended to cover additional plaintiffs, these will also not apply to any awards issued to those plaintiffs.

If the preliminary injunctions are stayed, vacated, or extinguished, the DHS Standard Term and Condition titled “Federal Anti-Discrimination Laws Material to the Government’s Payment Decisions Under the False Claims Act” and the “Federal Anti-Discrimination Laws Material to the Government’s Payment Decisions Under the False Claims Act” Agreement Article will immediately become effective.

6. Non-Applicability of Specific Terms and Agreement Articles Pursuant to City of Fresno, et al. v. Mullin, et al.

Pursuant to the preliminary injunction order issued on July 10, 2026, in the City of Fresno et al. v. Mullin, et al., No. 3:26-cv-01535-WHO (N.D. Cal.), the following terms and conditions do not apply to non-disaster awards issued on or after August 28, 2026, for plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government’s Payment Decisions Under the False Claims Act" and the Agreement Article titled “Federal Anti-Discrimination Laws Material to the Government’s Payment Decisions Under the False Claims Act” in this award package; and (2) the DHS Standard Term and Condition titled "All Executive Orders Related to Grants" and the Agreement Article titled “All Executive Orders Related to Grants” in this award package. If the preliminary injunction is

extended to cover additional plaintiffs, these terms and conditions will also not apply to any awards issued to those plaintiffs.

If the preliminary injunction is stayed, vacated, or extinguished, the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act", the "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" Agreement Article, the DHS Standard Term and Condition titled "All Executive Orders Related to Grants," and the Agreement Article titled "All Executive Orders Related to Grants" will immediately become effective.

7. Non-Applicability of Specific Terms and Agreement Articles Pursuant to City of Salem v. Mullin, et al.

Pursuant to the preliminary injunction order issued on August 20, 2026, in the City of Salem v. Mullin, et al., No. 6:26-cv-01340-MC (D. Or.), the following terms and conditions do not apply to non-disaster awards issued on or after August 28, 2026, for plaintiffs subject to the preliminary injunction order while the order remains in effect: (1) the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" and the Agreement Article titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act;" (2) the DHS Standard Term and Condition titled "All Executive Orders Related to Grants" and the Agreement Article titled "All Executive Orders Related to Grants;" and (3) the DHS Standard Term and Condition titled "Termination of a Federal Award," the Agreement Article titled "Termination of a Federal Award," and Paragraphs (a)(i)(3) and (a)(i)(4) of the term and condition in Information Bulletin No. 582 titled "Termination Condition," and any materially similar paragraphs set forth in the applicable Notice of Funding Opportunity. If the preliminary injunction is extended to cover additional plaintiffs, these terms and conditions will also not apply to any awards issued to those plaintiffs.

If the preliminary injunction is stayed, vacated, or extinguished, the DHS Standard Term and Condition titled "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act", the "Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act" Agreement Article, the DHS Standard Term and Condition titled "All Executive Orders Related to Grants," the Agreement Article titled "All Executive Orders Related to Grants," and Paragraphs (a)(i)(3) and (a)(i)(4) of the term and condition in Information Bulletin No. 582 titled "Termination Condition," will immediately become effective.

IV. Questions

Questions regarding this Information Bulletin may be directed to FEMA Grants News at fema-grants-news@fema.dhs.gov.

V. Review Date

This Information Bulletin will be reviewed, updated, or rescinded as needed.