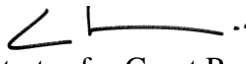




FEMA

**Grant Programs Directorate Information Bulletin
No. 436
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MEMORANDUM FOR: All State Administrative Agency Heads
All State Administrative Agency Points of Contact
All Urban Areas Security Initiative Points of Contact
All State Homeland Security Directors
All State Emergency Management Agency Directors

FROM: Christopher P. Logan 
Acting Assistant Administrator for Grant Programs
Federal Emergency Management Agency

SUBJECT: Guidance for Use of Homeland Security Grant Program Funds,
including Operation Stonegarden, for Unaccompanied Children and
Families on the Southwest border

I. Purpose

This Information Bulletin (IB) supersedes IB No. 418, dated July 13, 2017, and provides updated guidance for Homeland Security Grant Program (HSGP) recipients located along the Southwest border regarding the process to reprioritize or modify existing investments and projects funded under HSGP for costs related to providing humanitarian relief to unaccompanied alien children and alien adults accompanied by an alien minor where they are encountered after entering the United States. This IB expands the scope of previous guidance in IB 418 by applying it further to Operation Stonegarden and to Fiscal Year 2018 awards. For purposes of this guidance, Arizona, California, New Mexico, and Texas are the only states located along the Southwest border permitted to charge the types of costs identified in this guidance to an applicable award.

II. Applicability

This IB applies to recipients and subrecipients along the Southwest border under the following HSGP component programs:

FY 2014 – FY 2018 State Homeland Security Program (SHSP)
FY 2014 – FY 2018 Operation Stonegarden (OPSG)
FY 2014 – FY 2016 Urban Area Security Initiative (UASI)¹

¹ Congress did not extend this authority to FY 2017 and 2018 UASI funding.

Through several appropriations acts², Congress has expanded the allowability for the use of funding under the HSGP component programs identified in this section to ease the burden on state, local and tribal jurisdictions along the Southwest border caused by the influx of unaccompanied alien children and alien adults accompanied by an alien minor where they are encountered after entering the United States. States and locals may use funding under these programs for costs or the reimbursement of costs described in section III below provided that such costs were incurred during the award's period of performance.

III. Allowable Costs and Guidance

- A. Notwithstanding any other provision of law or term of a recipient's applicable award, recipients and subrecipients on the Southwest border may use grant funding for costs, or reimbursement of costs, related to providing humanitarian relief to unaccompanied alien children and alien adults accompanied by an alien minor where they are encountered after entering the United States, in a manner consistent with the terms of this guidance. In addition to activities already allowable under SHSP, OPSG, or UASI, respectively, any costs associated with the immediate care or transportation of unaccompanied children and families are allowable. These allowable costs include costs for food, water, hygiene products, medicine, medical supplies and temporary housing, as well as costs for transportation to and from temporary housing or to permanent housing.
- B. Only recipients and subrecipients located in Arizona, California, New Mexico, and Texas may use applicable award funds for such costs related to the provision of humanitarian relief.
- C. Those recipients and subrecipients may charge costs allowable under this IB to an applicable award identified in Section II, above, provided that the costs were incurred and obligated **during the award's period of performance**.
- D. As with all allowable expenditures under HSGP, the SAA or its subrecipients (e.g., OPSG and UASI jurisdictions) must agree to and approve the use of funds for this purpose and request to amend their grant award accordingly.
- E. Under OPSG, SAAs and subrecipients choosing to use funds in this manner must also collaborate on reprioritizing funds for the provision of humanitarian relief allowable under this IB with its applicable US Border Patrol sector and memorializing the amendment through an Operations Orders approved by the US Border Patrol sector, US Border Patrol Headquarters, and FEMA Grant Programs Directorate.
- F. Recipients and subrecipients must continue to comply with all applicable provisions of their awards, including the applicable Uniform Administrative Requirements at 44

² *Department of Homeland Security Appropriations Act, 2018* at § 305 (Pub. L. No. 115-141); *Department of Homeland Security Appropriations Act, 2017* at § 308(1) (Pub. L. No. 115-31); *Department of Homeland Security Appropriations Act, 2016* at § 560 (Pub. L. No. 114-113); and *Department of Homeland Security Appropriations Act, 2015* at § 572 (Pub. L. No. 114-4).

C.F.R. Part 13 and 2 C.F.R. Part 215 (for awards made by FEMA prior to Dec. 26, 2014), or 2 C.F.R. Part 200 (for awards made by FEMA on or after Dec. 26, 2014), as well as all applicable Cost Principles,³ when incurring costs subject to this IB.

- G. Subrecipients who wish to use funding for costs associated with humanitarian relief under the terms of this IB should contact their SAA with any questions concerning the need for modification of their subawards, and for instructions on how to properly charge and account for those costs under their subawards. The SAA, as the grant recipient, is responsible for clearly communicating the approval of any requests to use applicable funding for humanitarian relief to the subrecipient(s). Additionally, the recipient is responsible for ensuring that the terms and conditions of any existing subaward or other agreements or contracts that may require modification as a result of the reprioritization are updated in a manner that is consistent with the applicable provisions of the terms of the applicable award, including 2 C.F.R. Part 200, 44 C.F.R. Part 13 or 2 C.F.R. Part 215, and any applicable state or local laws. The recipient also is responsible for clearly communicating any new or updated terms and conditions to the subrecipient(s).
- H. The SAA must report all use of funding for costs associated with the provision of humanitarian relief in the next submission of the Biannual Implementation Strategy Report (BISR) within the Grants Reporting Tool (GRT).
- I. Use of grant funds for the provision of humanitarian relief described in this IB is not justification for extensions to the end date of the periods of performance for the grants covered under this Information Bulletin.
- J. Costs for projects or activities that already are in progress that require environmental and historic preservation reviews, including previously installed equipment or previously constructed shelters, are not allowable.
- K. Recipients and subrecipients may not use applicable funding for other types of costs incurred or obligated prior to the award's period of performance except as otherwise described in the award's Notice of Funding Opportunity.

IV. Questions

Any questions regarding this IB may be directed to your FEMA Program Analyst (PA) or the Centralized Scheduling and Information Desk (CSID) at askcsid@fema.dhs.gov or (800) 368-6498.

V. Review Date

This IB will be reviewed within five years (5) from date of issuance.

³ For awards made by FEMA prior to Dec. 26, 2014, this includes: 2 C.F.R. Part 225, "Cost Principles for State and Local and Indian Tribal Governments"; 2 C.F.R. Part 230, "Cost Principles for Non-Profit Organizations"; and 2 C.F.R. Part 220, "Cost Principles for Educational Institutions," as applicable. For awards made by FEMA on or after Dec. 26, 2014, non-Federal entities must comply with the applicable Cost Principles at 2 C.F.R. Part 200.