

# Hazard Mitigation Grant Program Cost Share Information for Section 311 of the Department of Homeland Security Appropriations Act, 2022

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This document provides guidance for state, local, tribal, and territorial governments regarding the Department of Homeland Security Appropriations Act, 2022, which includes a provision that increases the federal cost share for Hazard Mitigation Grant Program (HMGP) to not less than 90% for all emergency or major disaster declarations occurring, or an incident period beginning, between Jan. 1, 2020, and Dec. 31, 2021. The Act was signed into law by President Biden on March 15, 2022. FEMA encourages state, tribal and territorial governments to review their HMGP programming with an equity and climate resilience lens.

## Funding

- For all HMGP authorized from disasters declared between Jan. 1, 2020 and Dec.31, 2021, FEMA is providing a 90% federal cost share.
- This federal share is applied to the lock-in amount and the lock-in amount remains the same. Applicant flexibilities for 'overmatch,' as described in 44 Code of Federal Regulations (CFR) § 206.432(c), remain. If a state, tribe or territory chooses to achieve more mitigation, it may contribute non-federal funding in excess of the required non-federal share. However, FEMA will not contribute to costs above the federally approved HMGP ceiling amount.
- Management costs will be calculated based on the total amount of the prime award regardless of whether a state, tribe or territory provides additional non-federal funding (above 10%).
- Recipients can request recalculations following the normal process. See Part VIII. Additional Program Guidance, Section A.4 of the [2015 Hazard Mitigation Assistance \(HMA\) Guidance](#) for additional information.

## Non-COVID-19 Presidential Disaster Declarations

- For presidential disaster declarations that have received lock-in letters, the states, tribes and territories may request a recalculation and each entity may submit a single request identifying all the impacted disasters for which they are seeking a recalculation. Entities should coordinate with their respective [FEMA Regional office](#) if they plan to request a recalculation.



# FEMA

- For disaster declarations that have not yet received lock-in letters, the forthcoming letters will reflect the 90/10 cost share.

## COVID-19 Presidential Disaster Declarations

- Currently, no additional funding has been authorized for COVID-19 Presidential Disaster Declarations. FEMA recognizes this results in less funding available for management costs.

## Application Period Extensions

- FEMA will consider all requests for application period extensions under the normal process established by regulation. FEMA will not reopen application periods that have already closed.
- Per 44 C.F.R. § 206.436(e), an applicant may request an extension to the application submission period in 30- to 90-day increments not to exceed a total extension of 180 days. When requesting extension(s), the applicant must submit it to their respective FEMA Regional Administrator and include proper justification.
- Section 301 of the Stafford Act (42 U.S.C. § 5141) authorizes a waiver of administrative conditions for the rare circumstance when the applicant is unable to meet programmatic administrative requirements as a direct result of the event that caused the major disaster. In the instance where the Regional Administrator has approved a 180-day extension but the applicant is unable to meet the deadline, the state/tribe/territory must submit a request for an additional extension to the Regional Administrator and *justify how the event* for which the additional time is needed created the situation in which the applicant cannot meet the regulatory administrative deadline. The request must describe the conditions that precluded the applicant from meeting the administrative requirements and must include a summary of the current status, planned actions to meet the extension, and any resources that may be required. For the COVID-19 declarations, the applicant needs to explain how the pandemic impacted the ability to meet the application deadline; for the non-COVID declarations, the applicant needs to explain how the particular disaster event impacted the ability to meet the application deadline.
- Section 301 applies when the inability to meet the administrative conditions is a direct result of the major disaster event. The following **are not** circumstances that meet the criteria for a Section 301 waiver to extend an application period: (1) the legislative change in Section 311 of the Department of Homeland Security Appropriations Act, 2022, which allows for an increased federal share under HMGP for Presidential Disaster Declarations declared between 2020 and 2021, or (2) the project selection process for Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA).

## FEMA/State/Tribe/Territory Agreements and HMGP Administrative Plans

- For the affected Presidential Disaster Declarations, all FEMA/State/Tribe/Territory Agreements and HMGP Administrative Plans need to be amended to reflect the new 90/10 cost share.

- Regional offices will communicate the amendment process and work with state, tribal and territorial governments to amend FEMA/State/Tribe/Territory Agreements.

## Periods of Performance

- Periods of performance will not be adjusted as a result of this change. FEMA will consider all requests for period of performance extensions as described in the [2015 HMA Guidance](#).

## Additional Information and Resources

Learn more about the [Hazard Mitigation Grant Program \(HMGP\)](#).

Find and contact your regional [Hazard Mitigation Officers](#) for states, tribes, and territories.

Watch and register for helpful [Hazard Mitigation Grant Program Webinars](#).