



**FEMA**

**Grant Programs Directorate Information Bulletin  
No. 407a  
January 19, 2017**

**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 Transit Agencies  
All Private Sector Transportation Security Partners  
All Public and Private Sector Port Security Partners  
All Tribal Nation Points of Contact

**FROM:** Brian E. Kamoie  
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Federal Emergency Management Agency

A handwritten signature in blue ink, appearing to read "B. Kamoie".

**SUBJECT: Use of Grant Funds for Controlled Equipment: Update for  
Fiscal Year 2017**

The purpose of this Information Bulletin (IB) update is to provide grant applicants, recipients, and subrecipients with guidance regarding the requirements when applying for, or expending grant funds for, controlled equipment expenditures and using grant-funded controlled equipment. This IB, IB 407a is applicable to all grants awarded by the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) beginning with Fiscal Year (FY) 2016. This update supersedes all previous versions of IB 407.

This IB was developed as part of the implementation of [\*Executive Order \(EO\) 13688: Federal Support for Local Law Enforcement Equipment Acquisition\*](#), issued January 16, 2015, and the updated [\*Recommendations Pursuant to Executive Order 13688\*](#) (updated for FY 2017 on October 1, 2016), which amended the *Prohibited Equipment List* and *Controlled Equipment List* and further defines certain requirements.

While EO 13688 speaks directly to Law Enforcement Agencies (LEAs), through this IB, FEMA will apply the same requirements and conditions to all controlled equipment regardless of the recipient's designation as, or affiliation with, law enforcement to ensure a consistent approach toward controlled equipment expenditures and use by all FEMA recipients.

Additionally, the Working Group provided enhanced criteria for Campus LEAs operating in Institutions of Higher Education (IHE). The updates put particular emphasis on using controlled

equipment in a way that does not inhibit the exercise of the First Amendment right of free speech or assembly, including public demonstrations, which are hallmarks of student life at IHEs. The requirements impacted are as follows:

- Civilian Governing Body’s Review and Approval
- Detailed Justification
- Community Input and Impact Considerations
- General Policing Standards
- Training

The full IHE update is available in Appendix E of the 2017 Recommendations Report and at: <https://www.bja.gov/publications/EnhancedCriteriaforInstitutionsofHigherEducationApplicants.pdf>.

### **Ongoing Collaboration**

FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on controlled equipment expenditures while continuing to support these investments when there is a justifiable need. Further, FEMA will continue to maintain an awareness of the evolving policy developments related to controlled equipment expenditures and keep grant recipients up to date on future developments.

### **Equipment Lists**

The *Prohibited Equipment List* identifies categories of equipment that recipients are prohibited from acquiring using federally-provided funds or via transfer from federal agencies, which includes:

- **Tracked Armored Vehicles:** Vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- **Weaponized Aircraft, Vessels, and Vehicles of Any Kind:** These items will be prohibited from purchase or transfer with weapons installed.
- **Firearms of .50-Caliber or Higher**
- **Ammunition of .50-Caliber or Higher**
- **Grenade Launchers:** Firearm or firearm accessory designed to launch small explosive projectiles. This does not include launchers specifically designed and built to launch less lethal projectiles. *October 2016 Update.*
- **Bayonets:** Large knives designed to be attached to the muzzle of a rifle/shotgun/long gun for the purposes of hand-to-hand combat.
- **Camouflage Uniforms:** Does not include woodland or desert patterns or solid color uniforms. Camouflage-patterned uniforms acquired through federal programs are authorized to be worn only in environments where they actually camouflage the wearer, and may not be worn in cities, towns, and other urban or populous areas. *October 2016 Update.*

The *Controlled Equipment List* identifies categories of equipment that have significant utility for state, local, tribal, territorial, and private sector grant recipients. Recipients may continue to acquire controlled equipment through federal assistance programs. However, because of the

nature of the equipment and the potential impact on communities, additional controls will be imposed on the acquisition, use, and transfer of this equipment. While several of the items below are not allowable expenses under DHS/FEMA preparedness grants<sup>1</sup>, the full *Controlled Equipment List* includes:

- **Manned Aircraft, Fixed Wing:** Powered aircraft with a crew aboard, such as airplanes, that use a fixed wing for lift.
- **Manned Aircraft, Rotary Wing:** Powered aircraft with a crew aboard, such as helicopters, that use a rotary wing for lift.
- **Unmanned Aerial Vehicles:** A remotely piloted, powered aircraft without a crew aboard (including Small Unmanned Aerial Systems (SUAS)).
- **Armored Vehicles, Wheeled:** Any wheeled vehicle either purpose-built or modified to provide ballistic protection to its occupants, such as a Mine-Resistant Ambush Protected (MRAP) vehicle or an Armored Personnel Carrier.
- **Tactical Vehicles, Wheeled:** A vehicle purpose-built to operate on- and off-road in support of military operations, such as a HMMWV (“Humvee”), 2.5-ton truck, 5-ton truck, or a vehicle with a breaching or entry apparatus attached. This excludes commercially available vehicles not tactical in nature, such as pick-up trucks or Sport Utility Vehicles (SUV). *October 2016 Update.*
- **Command and Control Vehicles:** Any wheeled vehicle either purpose-built or modified to facilitate the operational control and direction of public safety units responding to an incident. Command and Control Vehicles are similar to a recreational vehicle and can accommodate multiple people at multiple workstations within the vehicle. This category is not intended for other types of vehicles that could serve as a command and control center, including SUVs. *October 2016 Update.*
- **Specialized Firearms and Ammunition Under .50 Caliber (excludes firearms and ammunition designed for regularly-assigned duties), and Less Lethal Launchers:** Weapons and corresponding ammunition for specialized operations or assignment. This includes launchers specifically designed and built to launch less lethal projectiles. This excludes weapons, such as service issued handguns, rifles, or shotguns, that are issued or approved by the agency to be used by all sworn officers/deputies during the course of regularly assigned duties. This definition clarifies that less lethal launchers are Controlled Equipment. Previously, it was unclear whether Less Lethal Launchers were prohibited under the “Grenade Launchers” category or entirely excluded from the Prohibited or Controlled Equipment Lists. (Note: despite its inclusion on the Government-wide *Controlled Equipment List*, equipment defined under this category is not an allowable expense under any FEMA preparedness grant program). *October 2016 Update.*
- **Explosives and Pyrotechnics:** Includes “flash bangs” as well as explosive breaching tools often used by special operations units. (Note: despite its inclusion on the Government-wide *Controlled Equipment List*, equipment defined under this category is not an allowable expense under any FEMA preparedness grant program).
- **Breaching Apparatus:** Tools designed to provide law enforcement rapid entry into a building or through a secured doorway. These tools may be mechanical in nature (a battering ram connected to a vehicle or a propellant), ballistic (slugs), or explosive. This

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<sup>1</sup> Recipients and sub-recipients should refer to the annual Notices of Funding Opportunity, the Authorized Equipment List, or contact their FEMA Program Analyst for information regarding the allowability of specific equipment categories.

category does not include dual purpose tools such as a sledgehammer or bolt cutter. Note: FEMA does not control the purchase of battering rams by fire departments. *October 2016 Update.*

- **Riot/Crowd Control Batons (excluding service-issued telescopic or fixed-length straight batons):** Non-expandable baton of greater than service-issued types and are intended to protect its wielder during crowd control situations by providing distance from assailants. This includes all batons with advanced features such as tear gas discharge, electronic or “stun” capabilities. (Note: despite its inclusion on the Government-wide *Controlled Equipment List*, equipment defined under this category is not an allowable expense under any FEMA preparedness grant program). *October 2016 Update.*
- **[Category Deleted]:** Following completion of Permanent Working Group’s annual review of the Prohibited and Controlled Equipment Lists in October 2016, the Riot Helmets category was removed from the Controlled Equipment List based on an evaluation and balancing of relevant factors such as officer safety, utility of equipment to law enforcement, building trust between law enforcement and the community, and the impact of misuse, overuse, and inappropriate use on the community.
- **Riot/Crowd Control Shields:** Shields intended to protect wielders from their head to their knees in crowd control situations. Most are designed for the protection of the user from projectiles including rocks, bricks, and liquids. Some afford limited ballistic protection as well. Riot shields may also be used as an offensive weapon to push opponents. (Note: despite its inclusion on the Government-wide *Controlled Equipment List*, equipment defined under this category is not an allowable expense under any FEMA preparedness grant program). *October 2016 Update.*

A side-by-side comparison of all changes made to the definitions on both the Prohibited and Controlled Equipment Lists is available on the Department of Justice’s website at <http://ojp.gov/docs/AnnualEquipmentListReviewComparison.pdf>

### **Equipment Modifications**

Grant recipients and sub-recipients may not modify equipment acquired using federal resources that would cause it to be considered prohibited equipment, or absent specific written approval from FEMA and adherence to all relevant requirements, controlled equipment.

#### **I. Application Requirements for Controlled Equipment Expenditures**

Any entity<sup>2</sup> that applies for FEMA grants for controlled equipment expenditures must complete FEMA Form (FF) 087-0-0-1 *Controlled Equipment Request Form* and submit it to the State Administrative Agency (SAA) or to FEMA if applying through a grant program through which applications are made directly to FEMA. The form may be submitted at the time of application for the award or can be submitted at any time during the award period of performance as long as it is prior to the acquisition of the controlled equipment.

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<sup>2</sup> Entity refers to the recipient or subrecipient that will be the end user of the controlled equipment. *Recipient* - a non-federal entity that receives a federal award directly from a federal awarding agency to carry out an activity under a federal program. The term recipient does not include subrecipients. See also §200.69 Non-Federal entity. *Subrecipient* - a non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency.

Using FF 087-0-0-1, the entity must include a clear and persuasive explanation demonstrating the need for the controlled equipment and the purpose that it will serve. The entity will be asked to supply information about the current inventory of controlled equipment acquired through federal programs, pending applications for controlled equipment, previous denials for controlled equipment, and any findings of violations of federal civil rights statutes or programmatic terms involving controlled equipment.

Additionally, using FF 087-0-0-1, the entity will certify that they have adopted or will adopt prior to acquiring controlled equipment the applicable policies and protocols that meet the training requirements and will adhere to the records keeping requirements and after-action report requirements as described below. The entity will also certify that it will abide by all applicable federal, state, local, and tribal laws, regulations, and programmatic terms and conditions.

### **Governing Body Approval**

The requesting entity must provide evidence of approval or concurrence by the jurisdiction's governing body (e.g., City Council, County Council, Mayor) for the acquisition of the requested controlled equipment. Evidence of the governing body's approval or concurrence should be explicit. However, if the LEA can provide evidence that the governing body was given a reasonable opportunity to review the controlled equipment acquisition request but failed to affirmatively approve or disapprove of the request, such silence or inaction will constitute evidence of approval.

For LEA's where the chief executive is popularly elected (e.g., Sheriffs), the LEA must provide official written notice to – but are not required to obtain approval from – their civilian governing body at least 30 days in advance of any application to acquire controlled equipment from the Federal Government. This change takes into account the fact that popularly-elected heads of LEAs are directly accountable to their community-constituency.

For IHEs, explicit approval by the governing body of the IHE (e.g., Board of Trustees or Visitors, State Board of Regents) for the acquisition of the controlled equipment is required, the documentation of which must be included in the application. Silence (such as inclusion on consent calendar) or inaction by the governing body does not constitute approval.

## **II. Policy and Protocol Requirements**

- a) The entity must have written policies and protocols that specifically govern the (1) appropriate use of controlled equipment; (2) supervision of use of controlled equipment; (3) effectiveness evaluation; (4) auditing and accountability; and (5) transparency and notice considerations as defined below:

- 1) ***Appropriate Use of Controlled Equipment:*** Requesting organizations should examine scenarios in which controlled equipment will likely be deployed, the decision-making processes that will determine whether controlled equipment is used, and the potential that both use and misuse of controlled equipment could create fear and distrust in the community. Protocols should consider whether measures can be taken to mitigate that effect (e.g., keep armored vehicles at a staging area until needed) and any alternatives to the use of such equipment and tactics to minimize

negative effects on the community while preserving officer safety.  
(Recommendations Pursuant to EO 13688 Updated, pg. 22)

- 2) ***Supervision of Use:*** The protocols must specify appropriate supervision of personnel operating or utilizing controlled equipment. Supervision must be tailored to the type of equipment being used and the nature of the engagement or operation during which the equipment will be used. Policies must describe when a supervisor of appropriate authority is required to be present and actively overseeing the equipment's use in the field. (Recommendations Pursuant to EO 13688 Updated, pg. 22)
- 3) ***Effectiveness Evaluation:*** The protocols must articulate that the requesting organization will regularly monitor and evaluate the effectiveness and value of controlled equipment to determine whether continued deployment and use is warranted on operational, tactical, and technical grounds. Requesting organizations should review after-action reports routinely and analyze any data on, for example, how often controlled equipment is used or whether controlled equipment is used more frequently in certain law enforcement operations or in particular locations or neighborhoods. (Recommendations Pursuant to EO 13688 Updated, pg. 22)
- 4) ***Auditing and Accountability:*** There must be strong auditing and accountability provisions in the protocols that state that the requesting organization's personnel will agree to and comply with and be held accountable if they do not adhere to agency, state, local, tribal, territorial, and federal policies associated with the use of controlled equipment. (Recommendations Pursuant to EO 13688 Updated, pg. 22)
- 5) ***Transparency and Notice Consideration:*** The protocols must articulate that the requesting organization will engage the community regarding acquisition of controlled equipment, policies governing its use, and review of significant incidents (see Recommendation 2.3 below), with the understanding that there are reasonable limitations on disclosures of certain information and law enforcement sensitive operations and procedures. (Recommendations Pursuant to EO 13688 Updated, pg. 22)

b) **For LEAs Only**<sup>3</sup>

LEA recipients or subrecipients requesting controlled equipment must have written policies and protocols on (1) Community Policing; (2) Constitutional Policing; and (3) Community Input and Impact Considerations.<sup>4</sup>

- i. For IHEs, Community input and Impact Considerations must include Certification that campus LEA policies identify a mechanism that LEAs will engage members

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<sup>3</sup> LEAs include contracted LEAs or LEAs activated as part of a mutual aid agreement or memorandum of understanding using or operating grant funded controlled equipment.

<sup>4</sup> *Community Policing* is the concept that trust and mutual respect between police and the communities they serve are critical to public safety. Community policing fosters relationships between law enforcement and the local community which promotes public confidence in LEAs and, in turn, enhances LEAs ability to investigate crimes and keep the peace. *Constitutional Policing* protocols emphasize that all police work should be carried out in a manner consistent with the requirements of the U.S. Constitution and federal law. Policies must include protocols on First Amendment, Fourth Amendment, and Fourteenth Amendment principles in law enforcement activity, as well as compliance with federal and state civil rights laws. *Community Input and Impact* protocols must identify mechanisms that LEAs will use to engage the communities they serve to inform them and seek their input about LEAs' actions, role in, and relationships with the community. Law enforcement exists to protect and serve the community, so it is axiomatic that the community should be aware of and have a say in how they are policed. LEAs should make particular efforts to seek the input of communities where controlled equipment is likely to be used so as to mitigate the effect that such use may have on

of the school community, including students and faculty. This includes how IHEs will provide members of the school community with information about controlled equipment, explanations from the IHE concerning the need for such equipment, as well as potential uses and benefits to the agency and the community. Information gathered from the community should be used to review trends related to the deployment of controlled equipment.

A Sample Community Policing Policy is available for download and use by grant recipients and sub recipients at <http://ojp.gov/PWG.htm>.

### III. Training Requirements

The entity must provide or obtain necessary training regarding appropriate use of controlled equipment prior to the use of controlled equipment, including:

a) **Technical Proficiency:**

All entity personnel who will use controlled equipment must be trained properly on, and have achieved technical proficiency in, the operation or utilization of the controlled equipment at issue prior to its use. The controlled equipment may be used for technical training and certification prior to deployment for official use.

b) **Scenario-Based Training:**

To the extent possible, trainings related to controlled equipment should include scenario-based training. Personnel authorizing or directing the use of controlled equipment should have enhanced scenario-based training to examine, deliberate, and review the circumstances in which controlled equipment should or should not be used. To the extent possible, the LEA specifically should include scenario-based training that combines constitutional and community policing principles with equipment-specific training.

c) **Training on Civil Rights and Liberties**

Annual, appropriate, and relevant training for grant recipient personnel on the 1<sup>st</sup>, 4<sup>th</sup>, and 14<sup>th</sup> Amendments is required. Training on how to protect the civil rights and civil liberties of those in the surrounding community where the controlled equipment will be used is vital to ensuring that the use of controlled equipment complies with constitutional standards for the protection of civil rights and civil liberties. Training objectives should define and explain relevant concepts and demonstrate the application of such concepts through equipment-based scenarios to show appropriate and proper use of controlled equipment by both law enforcement and non-law enforcement personnel and the negative effects and consequences of misuse.

d) **For LEAs Only - General Policing Standards** (including contracted LEAs or LEAs activated as part of a mutual aid agreement or memorandum of understanding using or operating grant funded controlled equipment):

On an annual basis, all LEA personnel who may use or authorize use of controlled equipment must be trained on LEAs' General Policing Standards including (1)

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public confidence in the police. This could be achieved through the LEAs' regular interactions with the public through community forums, town halls, or meetings with the Chief or community outreach divisions.

Community Policing; (2) Constitutional Policing; and (3) Community Input and Impact Considerations. For additional information on these General Policing Standards see <https://www.bja.gov/programs/Controlled-Equipment-Standards.pdf>.

For purposes of this Recommendation, “annual” training – after an initial comprehensive session – may be accomplished through, for example, an in-service, presentations at roll call, or as part of other training refreshers.

#### IV. After-Action Report Requirements Following a Significant Event

- a) The entity must collect and retain *Required Information* (see below) when a significant incident or event requires, or results in, the use of any controlled equipment purchased with FY 2016 and later DHS/FEMA grant funds. This requirement does not apply to equipment purchased with FY 2015 funds and prior years, or to equipment purchased with non-federal funding.<sup>5</sup>

A significant incident or event includes:

- A demonstration or other public exercise of First Amendment rights or any other event that draws, or could be reasonably expected to draw, a large number of attendees or participants, such as those where advanced planning is needed;
- When unlawful or inappropriate police actions are alleged and trigger a federal compliance review, and when FEMA determines that controlled equipment was used in the law enforcement activity under review; and
- Any operation or action that involves (1) a violent encounter among civilians or between civilians and the grant recipient; and/or (2) a use-of-force that causes death or serious bodily injury.<sup>6</sup>

- b) Required Information to be collected and retained for after-action review (AAR):

- Identification of controlled equipment used (e.g., categories and number of units of controlled equipment used, make/model/serial number);
- Description of the significant incident/event involving the controlled equipment;
- Identification of personnel who used the equipment and, if possible, a list of those involved in the incident; and
- Result of controlled equipment use (e.g., arrests, use-of-force, victim extraction, injuries).

#### V. Record Keeping Requirements

- a) **Documented Policies and Protocols Records:**

The entity must retain written policies and procedures that govern the (1) Appropriate use of controlled equipment; (2) Supervision of use of controlled equipment; (3) Effectiveness evaluation; (4) Auditing and accountability; and (5) Transparency and notice considerations.

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<sup>5</sup> Following the annual review of the Prohibited and Controlled Equipment Lists by the Permanent Working Group in October 2016, this requirement was modified so that entities are now *only* required to collect and retain Required Information for controlled equipment acquired through federal programs on or after October 1, 2015. Previously, the data retention requirement was retroactive to equipment purchased prior to this date and also included equipment purchased with non-federal funding.

<sup>6</sup> Serious bodily injury, as defined by 18 U.S.C. § 1365(h), is the bodily injury which involves (a) a substantial risk of death; (b) extreme physical pain; (c) protracted and obvious disfigurement; or (d) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

Additionally, upon request, LEAs must provide a copy of the General Policing Standards and Specific Controlled Equipment Standards, and any related policies and protocols, to DHS/FEMA.

b) **Training Records:**

The entity must retain comprehensive training records, either in the personnel file of the individual who was trained or by the recipient's training division or equivalent entity, for a period of at least three (3) years after training date, and must provide a copy of these records, upon request, to DHS/FEMA.

c) **After-Action Review Records:**

The entity must retain After-Action Review reports with the Required Information (IV.a.) following any significant incident report for a period of at least three (3) years and must provide a copy of these records, upon request, to DHS/FEMA. This information shall also be made available to the community served in accordance with applicable policies and protocols including considerations regarding the disclosure of sensitive information.

VI. Additional Requirements for UAS

All requests to purchase Unmanned Aerial Systems (UAS) with FEMA grant funding must also include the policies and procedures in place to safeguard individuals' privacy, civil rights, and civil liberties of the jurisdiction that will purchase, take title to, or otherwise use the UAS equipment, see Presidential Memorandum: [Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties, in Domestic Use of Unmanned Aircraft Systems](#), issued February 20, 2015.

VII. Regional Capability

If the controlled equipment will provide a regional or multi-jurisdictional capability, all entities in the regional sharing agreement must meet the aforementioned policy and protocol requirements, training requirements, after-action analysis report requirements, and record keeping requirements. The acquiring entity is responsible for ensuring that a person/jurisdiction who uses its controlled equipment acquired through federal programs adheres to the entity's relevant policies or the regional sharing agreement, regardless of whether the user is employed by that entity. Ultimately, the responsibility of the use of controlled equipment rests with the entity that acquired it through a federal program, including in emergency and exigent circumstances.

Acquisition of controlled equipment – due to size, cost, scarcity, or other reason – for use in regional sharing arrangements, is strongly encouraged.

VIII. Disposal or Transfer of Controlled Equipment

**Disposal**

Prior to disposing of the controlled equipment, recipients must request disposition instructions from FEMA consistent with the terms of 2 C.F.R. Part 200 and the award agreement. Recipients must abide by all applicable federal, state, local, tribal, and territorial laws, regulations, and programmatic terms when disposing of controlled equipment.

**Transfer**

Controlled equipment must remain in the possession of the original FEMA grant recipient and may not be transferred without written permission from FEMA. FEMA reserves the right to allow for the transfer of controlled equipment to another FEMA recipient on a case-by-case basis. The use of controlled equipment under an MOU or other regional sharing agreement as listed under section VI above does not constitute a transfer of controlled equipment.

#### IX. Civil Rights Compliance

Entities requesting controlled equipment must disclose the following information with their application:

- 1) any finding by a Federal Court or a Federal Government agency, including an agency's civil rights office or the Civil Rights Division of the U.S. Department of Justice, that the entity has violated a federal civil rights statute, nondiscrimination provision of any federal program statute, or any other programmatic term or condition related to nondiscrimination during the past 3 years,
- 2) any remedial agreement entered into as a result of a civil rights investigation during the past 3 years, or
- 3) any admissions of liability made regarding violations of federal civil rights law in the entity's policing functions during the past 3 years. Entities must provide detailed information about the violation(s) and any efforts the entity has taken to cure the violation(s), and/or any information on remedial agreements.

FEMA Office of Equal Rights (FEMA OER) and DHS Office for Civil Rights and Civil Liberties (DHS CRCL) will review the information provided by the entity to evaluate the applicant's current compliance with civil rights requirements, and whether the applicant has taken steps to remedy civil rights violations such that DHS can be assured that the entity will administer its programs and activities in a nondiscriminatory manner. Information on the review process for disclosures of civil rights violations is detailed in Information Bulletin 414: Civil Rights Review Process for Controlled Equipment Requests.

#### X. Violations of Use of Controlled Equipment

FEMA may take appropriate action according to 2 C.F.R. Part 200 for violations of any federal statutes and regulations of the terms and conditions of the award related to controlled equipment (e.g., failure to adopt required protocols, unauthorized transfers).

For alleged violations of civil rights law involving the grant-funded controlled equipment, the matter will be referred for investigation to FEMA OER and DHS CRCL to determine appropriate next steps, which may include but is not limited to an investigation or compliance review. If, after advising the appropriate person or persons of a failure to comply, DHS determines that compliance cannot be secured by voluntary means, DHS may bring about compliance by the termination of or refusal to grant or to continue assistance or by any other means authorized by law, which may include but are not limited to referral to the Department of Justice for judicial action.

#### XI. Additional Requirements

All grant recipients that are authorized to utilize federal funding to procure or acquire controlled equipment must comply with 2 C.F.R. Part 200 and the terms of the award agreement with FEMA and the special conditions that are placed on the award by FEMA. The same terms and conditions with respect to the management, use, and disposition of the equipment apply to the

receiving entity in instances when FEMA authorizes the transfer of controlled equipment from the recipient to another entity.

Questions regarding this IB and whether the IB applies to a particular project, or guidance on controlled equipment expenditures may be directed to the appropriate FEMA Grant Programs Directorate Program Analyst or the Centralized Scheduling and Information Desk at [askcsid@fema.gov](mailto:askcsid@fema.gov) or 1-800-368-6498.