



FEMA

AskCSID ADVISORY

FEMA Releases Policy on Prohibited and Controlled Equipment Under FEMA Awards

FEMA's Grant Programs Directorate has released a new FEMA Policy, FEMA Policy #207-22-0002, Prohibited or Controlled Equipment under FEMA Awards. This policy goes into effect Jan. 1, 2023 and implements [Executive Order \(EO\) 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety](#) and applies to all FEMA grants.

The policy prohibits recipients and subrecipients from purchasing certain types of equipment, setting forth requirements and procedures by which recipients and subrecipients may potentially purchase controlled equipment with FEMA federal financial assistance. The policy spells out prohibited items, exceptions, controlled equipment and requirements necessary for recipients and subrecipients wanting to purchase excepted or controlled items.

The new policy and further information is available on FEMA's website at [Policy and Guidance for FEMA Grants | FEMA.gov](#).

The following table showcases the requirements set forth in the EO and Fiscal Year 2023 DHS Grants:

Prohibited and Controlled Equipment per Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety

Equipment	EO Prohibited or Controlled	FY23 Changes for DHS Grants
Firearms of .50 or Greater Caliber	Prohibited	None; Already Prohibited

Ammunition of .50 or Greater Caliber	Prohibited	None; Already Prohibited
Firearm Silencers, as defined in 18 U.S.C. 921(a)(24)	Prohibited	None; Already Prohibited
Bayonets	Prohibited	None; Already Prohibited
Grenade Launchers	Prohibited	None; Already Prohibited
Grenades (including stun and flash bang)	Prohibited	None; Already Prohibited
Weaponized Vessels	Prohibited	None; Already Prohibited
Weaponized Drones and Weapons Systems Covered by DOD Directive 3000.09 of November 21, 2012, as amended (Autonomy in Weapon Systems)	Prohibited	None; Already Prohibited
Riot/Crowd Control Batons	Controlled	None; Already Prohibited
Riot/Crowd Control Shields	Controlled	None; Already Prohibited
Specialized Firearms and Ammunition Under .50 Caliber and Less-Lethal Launchers	Controlled	None; Already Prohibited
Long-range Acoustic Devices That Do Not Have a Commercial Application	Prohibited	Changes from Allowed to Prohibited
Camouflage Uniforms	Prohibited	Changes from Allowed to Prohibited with Exceptions ^[1]
Explosives	Prohibited	Changes from Allowed to Prohibited with Exceptions. Not prohibited for explosives and percussion actuated non-electric disruptors used for FBI-accredited bomb squads and explosive detection canine training.
Breaching Apparatus	Controlled	Changes from Allowed to Controlled.
Vehicles that do not have a commercial application, including all tracked and armored vehicles.	Prohibited	Changes from Allowed to Prohibited with Exceptions. Recipients can purchase non-commercial vehicles but must certify in writing that the vehicle will be used exclusively for disaster-related emergencies; active shooter scenarios; hostage or other search and rescue

		operations; or anti-terrorism preparedness, protection, prevention, response, recovery, or relief.
Aircraft that are combat-configured or combat-coded, have no established commercial flight application, or have no application for disaster-related emergencies; active shooter scenarios; hostage or other search and rescue operations; or anti-terrorism preparedness, protection, prevention, response, recovery, or relief.	Prohibited	Aircraft with an established commercial flight application continue to be allowed. Combat-configured or combat-coded aircraft remain unallowable. Aircraft with no established commercial flight application changes to prohibited unless it has an application for disaster-related emergencies; active shooter scenarios; hostage or other search and rescue operations; or anti-terrorism preparedness, protection, prevention, response, recovery, or relief.

For questions on applicability for specific programs, please reach out to your Program Office Point of Contact (POC).

To download the guidance, please visit [Policy and Guidance for FEMA Grants | FEMA.gov](#)

[1] Based on EO 13688 (January 2015) and subsequent implementation reports. 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 cities, towns, and other urban or populous areas.

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