



FEMA

# NIMS *Alert*

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Incident Management  
Systems Division  
202-646-3850

Recently questions have arisen resulting in some confusion among the community of State Emergency Managers concerning NIMS compliance, the NIMSCAST, eligibility for preparedness funding, and Corrective Action Plan (CAP) extensions versus extensions for reporting NIMS compliance. This memorandum intends to provide clarification to this issue.

As specified in HSPD 5, NIMS compliance is a requirement to receive Federal preparedness awards, in the form of grants, cooperative agreements and direct contracts. The requirements for compliance to recipients of these awards, including the DHS Homeland Security Grant Program have been established annually since FY 2005. These requirements mandate that recipients of these awards will be NIMS compliant as a condition of the grant award.

In FY 2007, the National Incident Management System Compliance Assistance and Support Tool (NIMSCAST), an online self assessment and compliance reporting tool was released to ease the burden on the state and local jurisdictions reporting NIMS compliance. While the NIMSCAST is not a requirement, it is the DHS preferred mechanism to report and track compliance. At this time 42 of the 56 States and Territories are using the NIMSCAST to report NIMS compliance for fiscal year 2007. The due date for reporting NIMS compliance is September 30, 2007.

States, Territories, Tribal Nations and local jurisdictions that are not able to answer affirmatively to Tier 1 requirements by September 30 may submit a CAP which allows up to 120 days to achieve compliance for the pertinent Tier 1 requirement. The CAP is specific to the Tier 1 metric that was not answered in the affirmative.

Extensions for reporting NIMS compliance are not applicable when submitted as a CAP, as compliance is based on the Federal fiscal year. A State that has not answered the required activities at the end of the fiscal year is not NIMS compliant. While there are no immediate penalties, the direct impact is that the failure to complete the NIMS certification metrics may affect the eligibility to receive future federal preparedness awards.

Immediate questions and concerns regarding the matters contained in this NIMS Alert should be directed to your respective Regional NIMS Coordinator. Further clarification on these deadlines and impacts on preparedness grants will be forthcoming from DHS/FEMA.