Fiscal Year 2008

STATE HOMELAND SECURITY PROGRAM
SUPPLEMENTAL GUIDANCE FOR TRIBAL APPLICANTS

March 2008

U.S. DEPARTMENT OF HOMELAND SECURITY

CONTENTS

INTRODUCTION 3
PART I. AVAILABLE FUNDING AND ELIGIBLE APPLICANTS 9
PART II. APPLICATION AND EVALUATION PROCESS 11
PART III. PROGRAM REQUIREMENTS 13
PART IV. GENERAL SHSP ALLOWABLE COSTS GUIDANCE 14
PART V. LAW ENFORCEMENT TERRORISM PREVENTION-ORIENTED ALLOWABLE COSTS 20
Appendix A. 50 MOST POPULOUS METROPOLITAN STATISTICAL AREAS A-1
APPENDIX B. AUTHORIZED ALLOWABLE COSTS B-1
APPENDIX C. SHSP ALLOWABLE EXPENSES: ADDITIONAL INFORMATION C-1
APPENDIX D. INVESTMENT JUSTIFICATION D-1
APPENDIX E. FY 2008 SHSP APPLICATION REQUIREMENTS E-1
APPENDIX F. AWARD AND REPORTING REQUIREMENTS F-1
APPENDIX G. ADDITIONAL RESOURCES G-1

INTRODUCTION

The State Homeland Security Program (SHSP) is one tool among a comprehensive set of measures authorized by Congress and implemented by the Administration to help strengthen the Nation against risks associated with potential terrorist attacks.

The purpose of this package is to provide supplementary guidance for Tribal applicants and includes: (1) an overview of the SHSP; and (2) the formal grant guidance and application materials needed to apply for funding under the program. The package outlines FEMA management requirements for implementation of a successful application. The package also reflects changes called for in the Implementing Recommendations of the 9/11 Commission Act of 2007 (hereafter "9/11 Act"), enacted in August 2007, as well as the FY 2008 Consolidated Appropriations Act.

As part of the 9/11 Act, tribes are directly eligible applicants for State Homeland Security Program funding. This package is meant to provide clear direction for those tribes wishing to apply for SHSP funding. A majority of this package is unchanged from the SHSP guidance issued by DHS on February 1st; however, applicants will note that the guidance has been changed in several places in order to account for different tribal governance structures, unique tribal homeland security challenges, and 9/11 Act requirements.

Making an application for significant Federal funds under programs such as this can be complex. Our job at FEMA is to provide clear guidance and efficient application tools to assist applicants. Our customers are entitled to effective assistance during the application process, and transparent, disciplined management controls to support grant awards. We intend to be good stewards of precious Federal resources, and commonsense partners with our State, local, and tribal colleagues.

We understand that grant applicants will have unique needs and tested experience about how best to reduce risk locally. Our subject matter experts will come to the task with a sense of urgency to reduce risk, but also with an ability to listen carefully to local needs and approaches. In short, we commit to respect flexibility and local innovation as we fund national homeland security priorities.

A. Federal Investment Strategy.

The SHSP is an important part of the Administration's larger, coordinated effort to strengthen homeland security preparedness. The SHSP implements objectives addressed in a series of post-9/11 laws, strategy documents, plans and Homeland Security Presidential Directives (HSPDs).

FEMA expects our State, local, and tribal partners – including recipients of SHSP grants – to be familiar with this national preparedness architecture and to incorporate elements of this architecture into their planning, operations and investments.

B. Funding Priorities.

Based upon ongoing intelligence analysis, extensive security reviews and Congressional direction, FEMA has once again focused the bulk of its available grant dollars on risk-based investment. Eligible applicants were identified using a comprehensive, empirically-grounded risk analysis methodology. Risk will be evaluated at the Federal level using a risk analysis model developed by DHS in conjunction with other Federal entities. Risk is defined as the product of three principal variables:

- *Threat* – the likelihood of an attack occurring
- *Vulnerability* and *Consequence* – the relative exposure and expected impact of an attack

The risk model used to allocate SHSP funds considers the potential risk of terrorism to people, critical infrastructure, and economic security to estimate the relative risk of terrorism faced by a given area. In evaluating risk, DHS considers the populations in a particular area that could be at risk, the concentration of people in the area, and specific characteristics of their location that might contribute to risk, such as Intelligence Community assessments of threat, proximity to nationally critical infrastructure, and the economic impact of an attack. In considering threat, DHS uses the Intelligence Community's best assessment of areas of the country and potential targets most likely to be attacked. For vulnerability and consequence, DHS considers the expected impact and consequences of successful attacks occurring in specific areas, to people, the economy, nationally critical infrastructure and national security facilities.

FEMA places a very high priority on ensuring that all SHSP applications reflect robust regional coordination and can show an investment strategy that institutionalizes regional integration.

Overarching SHSP Priorities

Funding priorities for this year continue and further narrow the focus through risk-based funding and the capability-based planning process that DHS began three years ago. FY 2008 SHSP will focus on three objectives as its highest priorities. These three objectives are:

1. Measuring progress in achieving the National Preparedness Guidelines
2. Strengthening improvised explosive device (IED) attack deterrence, prevention, and protection capabilities
3. Strengthening preparedness planning

At least 25 percent of the total FY 2008 SHSP funding must be dedicated toward enhancing capabilities related to objectives 2 and 3 as identified above.

1. Measuring Progress in Achieving the National Preparedness Guidelines.
FEMA will continue in FY 2008 to tie together the established priorities and objectives of the National Preparedness Guidelines with efforts to further establish target capabilities, conduct joint federal-State assessments and make adjustments to better ensure that our investment is yielding measurable improvements in our nation's preparedness. As part of the FY 2008 SHSP Investment Justifications, applicants will be asked to establish specific capability-based outcomes associated with all proposed investments. Proposals should be aligned with the National Priorities of the National Preparedness Guidelines and must outline measurable outcomes that will be tracked and accomplished during implementation. Grantees should reference the Target Capabilities List (TCL) and applicable national plans and strategies to develop concrete, measurable outcomes and milestones, while preserving the necessary flexibility to meet unique tribal operational requirements. Grantees are encouraged to tie grant funding to their homeland security plans and homeland security strategies. Grant funding received under this program can be used to develop or enhance these plans and strategies, as detailed in the Planning section of this guidance. Outcomes included in the Impact section of the Investment Justification will be reviewed and scored through the peer review process. After funds are awarded, grantees will be required to report on progress made toward achieving the identified outcomes for each Investment as part of the regular grant reporting process described in Appendix F. Performance measure data submitted through grant reporting will be reviewed and validated through programmatic monitoring by FEMA personnel.

These outcomes should support both capability development and strategic, operational, and tactical-level planning. The outcomes should include a minimum number of quantitative and qualitative measures necessary to demonstrate achievement with regard to IED Deterrence, Prevention, and Protection and Preparedness Planning. These measures should be drawn, where applicable, from the Target Capabilities List (TCL). In addition to specific measures, grantees should outline two to four key enablers for each Investment that are of such importance to achieving the outcome that they require monitoring and management during the period of performance. These enablers are major outputs from the Investment and can be physical (e.g., a major equipment item) or logical (e.g., a critical process, such as a formal planning process) in nature. Examples should be drawn from the "Resource Elements" listed as part of each capability in the TCL.

Additional examples of operational outcomes and key enablers are included in the *FY 2008 SHSP Tribal Investment Justification Reference Guide*. This information will form the basis for measuring progress toward achieving IED Deterrence, Prevention, and Protection and Preparedness Planning outcomes during the period of performance of the grant.

2. Strengthening IED Attack Deterrence, Prevention, and Protection Capabilities.
This provision aligns with the National Priority to Strengthen CBRNE Detection, Response, and Decontamination Capabilities as outlined in the National Preparedness Guidelines. The priority supports the policy outlined in Homeland Security Presidential Directive 19 "Combating Terrorist Use of Explosives in the United States" (HSPD-19) by emphasizing the need for States, Territories, Urban Areas, and Tribes to take a more proactive approach to reducing the threat of a terrorist explosive attack. Tribes should begin by implementing programs such as enhancing public and private sector IED awareness and reducing critical infrastructure/key resource (CIKR) and soft target explosive attack vulnerabilities. Doing so will increase the likelihood that terrorist planning activities are recognized and reported, and deter attacks by reducing the attractiveness of potential targets. Additional programs such as implementing multi-jurisdiction explosive attack planning will ensure tribes coordinate preventive and protective actions during steady-state and threat-initiated environments. Finally, grantees should enhance explosive device pre-detonation response operations so that bomb squads have the necessary tools to defeat actual or suspected devices. These mitigation capabilities will serve to further prevent any attempted attack from achieving terrorist objectives.

In support of this effort, the DHS Office for Bombing Prevention (OBP) is dedicated to enhancing and coordinating the Nation's ability to deter, prevent, and protect against IED attacks. OBP maintains multiple programs designed to support jurisdictions in explosive attack prevention and protection planning, analyzing explosive device mitigation capabilities and determining training and equipment requirements, improving IED awareness, and facilitating the sharing of terrorist IED techniques, tactics, and procedures through TRIPwire. Grantees are encouraged to work closely with OBP (in addition to their Program Analyst and FEMA Region) to ensure tribal initiatives sufficiently address IED threats. For more information, please contact OBP via obp@dhs.gov. To register for a TRIPwire account, go to *http://www.tripwire-dhs.net*.

Activities to strengthen explosive attack deterrence, prevention, and protection capabilities should be undertaken in coordination with the statewide CIKR protection program, which States were required to establish in FY 2007 in support of the NIPP. Additional information to support the implementation of the NIPP is available at *http://www.dhs.gov/nipp/*.

3. Strengthening Preparedness Planning.
This provision aligns with the National Priority to Strengthen Planning and Citizen Preparedness Capabilities as outlined in the National Preparedness Guidelines and supports the Planning Annex to HSPD-8 "National Preparedness." Tribes must engage in comprehensive national and regional planning processes that seek to enhance emergency management capabilities through strengthened national and regional relationships and the allocation of resources toward preparedness planning. As indicated in the Planning Annex, coordinated, comprehensive plans should be developed that cover prevention, protection, and response activities for specific planning scenarios. However, within these plans, specific activities may be implemented in support of the following areas:

- **Fixing shortcomings in existing plans.** Areas of paramount concern are: Mass Evacuation and Sheltering, with particular emphasis on special needs populations[1] and citizen preparedness; Resource/Commodity Management, with particular emphasis on National Incident Management System (NIMS) standardized mechanisms and processes to describe, inventory, mobilize, dispatch, track, and recover resources over both the lifecycle and regional or national scope of an incident, taking into account both at-risk and host jurisdictions/states; CIKR Protection, with particular emphasis on Explosive Device Response Operations; Hazard Identification and Risk Assessment; and Health and Medical Services for Catastrophic Events. Once these shortcomings have been addressed, they should be integrated into scenario-specific plans.
- **Building regional planning processes and planning communities.** The primary focus is to establish processes for planning, preparedness, data exchange, and operational resource and asset management among regional planning partners. Activities should ensure that preparedness planning networks are fully integrated with other key planning efforts such as Area Maritime Security Plans (AMSPs) for port areas and Buffer Zone Plans (BZPs) for CIKR resources and community preparedness planning conducted by governmental and non-governmental entities through the Citizen Corps Council.
- **Linking operational needs identified in plans to resource allocation.** Applicants should use grant funds to institutionalize a capabilities-based planning process that defines, documents, analyzes, adjusts, and approves capability requirements that drive resource allocation.
- **Including the private sector in preparedness planning activities.** Tribes should include private sector entities in their preparedness planning process, building public-private partnerships where appropriate to more effectively prevent, protect against, respond to, and recover from major events. In particular, tribes should engage with private sector entities as provisions for the voluntary private sector preparedness, accreditation, and certification program called for in the 9/11 Act are finalized in order to ensure that personnel have a comprehensive understanding of preparedness capabilities resident in their region.

C. Allowable Expenses.

Allowable Investments made in support of the funding priorities discussed above as well as other capability-enhancing projects must fall into one of the following six categories:

1. Planning
2. Organization

[1] For the purposes of this document, special needs population is a population whose members may have additional needs before, during, and after an incident in one or more of the following functional areas: maintaining independence, communication, transportation, supervision, and medical care. Individuals in need of additional response assistance may include those who have disabilities; who live in institutionalized settings; who are elderly; who are children; who are from diverse cultures, who have limited English proficiency, or who are non-English speaking; or who are transportation disadvantaged.

3. Equipment
4. Training
5. Exercises
6. Personnel

The following grant guidance provides additional detail about each of these six allowable expense categories, as well as sections on additional activities including explicitly unallowable costs. In general, grantees should consult their FEMA Program Analyst prior to making any Investment that does not clearly meet the allowable expense criteria established by the guidance.

PART I.
AVAILABLE FUNDING AND ELIGIBLE APPLICANTS

This section summarizes the amount of funding available under the FY 2008 SHSP for eligible tribes, describes the basic distribution method used to determine final grants awards, and identifies all eligible applicants for FY 2008 funding.

A. Available Funding.

Total FY 2008 SHSP funding to tribal applicants will be not less than $1,644,555.00, an amount equal to 0.1 percent of the total funds appropriated for grants under sections 2003 (Urban Areas Security Initiative) and 2004 (State Homeland Security Program), as directed by the 9/11 Act.

B. Eligible Applicants.

Per the 9/11 Act, "a directly eligible tribe applying for a grant under section 2004 [SHSP] shall designate an individual to serve as a tribal liaison with [DHS] and other Federal, State, local, and regional government officials concerning preventing, preparing for, protecting against, and responding to acts of terrorism."

The term "directly eligible tribe" means –

(A) any Indian tribe –
- (i) that is located in the continental United States;
- (ii) that operates a law enforcement or emergency response agency with the capacity to respond to calls for law enforcement or emergency services;
- (iii)
  - (I) that is located on or near an international border or a coastline bordering an ocean (including the Gulf of Mexico) or international waters;
  - (II) that is located within 10 miles of a system or asset included on the prioritized critical infrastructure list established under section 210E(a)(2) [please refer to section 1001 of the Implementing Recommendations of the 9/11 Commission Act of 2007] or has such a system or asset within its territory;
  - (III) that is located within or contiguous to 1 of the 50 most populous metropolitan statistical areas in the United States; or
  - (IV) that certifies to the Secretary that a State has not provided funds under section 2003 [Urban Areas Security Initiative] or 2004 [SHSP] to the Indian tribe or consortium of Indian tribes for the purpose for which direct funding is sought; and
- (iv) that certifies to the Secretary that a State has not provided funds under section 2003 [UASI] or 2004 [SHSP] to the Indian tribe or

consortium of Indian tribes for the purpose for which direct funding is sought;

(B) a consortium of Indian tribes, if each tribe satisfies the requirements of subparagraph (A).

In summary, eligible tribes must meet the requirements set forth in (A) (i), (ii), and (iv). Tribes must also meet one of the requirements set forth in (A) (iii); either (I), (II), (III), or (IV). (B) may also be satisfied, if each tribe satisfies the requirements of subparagraph (A).

In addition, to be eligible to receive FY 2008 SHSP funding, applicants must meet NIMS compliance requirements. Tribal governments are considered to be in full NIMS compliance if they have adopted and/or implemented the FY 2007 compliance activities, as determined by the National Incident Management System Capability Assessment Support Tool (NIMSCAST) or other accepted means. Additional information on achieving compliance is available through the FEMA National Integration Center (NIC) at *http://www.fema.gov/emergency/nims/*.

For FY 2008, the NIMSCAST will be the required means to report NIMS compliance for FY 2009 preparedness award eligibility. All tribal awardees will be required to submit their compliance assessment via the NIMSCAST by September 30, 2008. The tribal awardee reserves the right to determine compliance reporting requirements of their sub-awardees (locals) in order to disperse funds at the local level.

PART II.
APPLICATION AND EVALUATION PROCESS

This section summarizes the overall timetable for the FY 2008 SHSP and core process and priorities that will be used to assess applications under the FY 2008 program. The next section provides detailed information about specific application requirements and the process for submission of applications.

A. Overview -- Application Deadline and Review Process.

As detailed in Information Bulletin #279, directly eligible tribes may apply for SHSP funding by:

- providing a copy of its application (i.e. the Tribal Investment Justification Worksheet) to each State within which any part of the tribe is located for review before the tribe submits such application to FEMA, and
- providing a copy of its application to FEMA by completing and submitting the application to www.grants.gov by 11:59 PM EDT, May 1, 2008.

For specific application instructions, please refer to Appendix E, *FY 2008 SHSP Application Requirements*.

FEMA will evaluate and act on applications within 90 days following close of the application period. The FY 2008 SHSP will use risk-based prioritization consistent with FEMA policy outlined in this guidance document. Each applicant's final funding allocation will be determined using a combination of the results of the risk and effectiveness analyses.

The following process will be used to make awards under the program:

- FEMA will verify compliance with all administrative and eligibility criteria identified in the application kit, to include the required submission of Investment Justifications by the established due dates.

- Eligible applications will be reviewed and scored through a peer review process to analyze the anticipated effectiveness of proposed Investments.

- FEMA will use the results of both the risk analysis and the peer review to make recommendations for funding to the FEMA Administrator and Secretary of Homeland Security.

Applicants must comply with all administrative requirements described herein. Having met all administrative requirements, applications will be evaluated through the peer review process for completeness, adherence to programmatic guidelines, feasibility, and how well the proposed Investment addresses the identified need(s) or capability

shortfall(s). The Investment Justification requires narrative on strategic alignment, funding plan, milestones, project management, potential challenges, impact, and sustainability for each proposal. This information will be used to evaluate the anticipated effectiveness of all proposed Investments. Grantees should also refer to the *FY 2008 SHSP Tribal Investment Justification Reference Guide* for assistance in the formulation of tribal Investment Justifications.

B. Grant Application Support from FEMA.

During the application period FEMA will identify multiple opportunities for a cooperative dialogue between the Department and applicants through such processes as the mid-term review. This commitment is intended to ensure a common understanding of the funding priorities and administrative requirements associated with the FY 2008 SHSP, and to help in submission of projects that will have the highest impact on reducing risks.

PART III.
PROGRAM REQUIREMENTS

This section provides detailed information about specific application requirements and the process for submission of applications.

A. General Program Requirements.

The direct tribal grantee will be responsible for administration of the FY 2008 SHSP. In administering the program, the tribal grantee must comply with the following general requirements:

1. Management and Administration (M&A) limits. A maximum of up to three percent (3%) of funds awarded may be retained by the direct tribal grantee, and any funds retained are to be used solely for management and administrative purposes associated with the SHSP award.

2. Cash-Match Requirements. Grantees are not required to engage in cash or in-kind match for FY 2008 SHSP funds. However, there is the potential for future grant programs to be impacted by cash match requirements as early FY 2009. Accordingly, grantees should anticipate and plan for future homeland security programs to require cash or in-kind matches at cost-share levels comparable to other FEMA-administered grant programs.

PART IV.
GENERAL SHSP ALLOWABLE COSTS GUIDANCE

The following pages outline allowable costs guidance for the SHSP. Please refer to Appendix B of this supplemental guidance for further information.

As a reminder, FY 2008 SHSP will focus on three objectives as its highest priorities:

1. Measuring progress in achieving the National Preparedness Guidelines
2. Strengthening improvised explosive device (IED) deterrence, prevention, and protection capabilities
3. Strengthening preparedness planning

At least 25 percent of FY 2008 SHSP funding must be allocated to objectives 2 and 3.

At least 25 percent of SHSP award funds must be dedicated towards law enforcement terrorism prevention-oriented planning, organization, training, exercise, and equipment activities.

1. Planning Activities.

Tribes are strongly encouraged to use FY 2008 SHSP funds for planning efforts that enable them to prioritize needs, build capabilities, develop or update preparedness or homeland security strategies, allocate resources, and deliver preparedness programs across disciplines (e.g., law enforcement, fire, emergency medical service (EMS), public health, behavioral health, public works, agriculture, and information technology) and levels of government. Planning activities should focus on the four homeland security mission areas of prevention, protection, response, and recovery. All jurisdictions are encouraged to work through Citizen Corps Councils, non-governmental entities, and the general public in planning activities.[2]

Allowable planning costs include:

- Developing scenario plans that incorporate the range of prevention, protection, response, and recovery activities for a scenario
- Developing and implementing homeland security support programs and adopting DHS national initiatives
- Developing related terrorism prevention activities
- Developing and enhancing plans and protocols
- Developing or conducting assessments

Examples of allowable planning costs can be found at *http://www.fema.gov/government/grant/hsgp/index.shtm*.

[2] Non-governmental entities include the private sector and private non-profit, faith-based, community, volunteer and other non-governmental organizations.

2. Organization Activities.

Tribes must justify proposed expenditures of SHSP funds to support organization activities within their Investment Justification submission by using historical data or other analysis.[3]

No more than 15 percent of a SHSP award amount may be used for operational expenses and overtime costs for the Organizational Activities noted below.

1. Overtime costs (as defined in the 2008 guidance) are allowable for personnel to participate in information, investigative, and intelligence sharing activities specifically related to homeland security and specifically requested by a Federal agency. Allowable costs are limited to overtime associated with Federally requested participation in eligible fusion activities including anti-terrorism task forces, JTTFs, Area Maritime Security Committees (as required by the Maritime Transportation Security Act of 2002), DHS Border Enforcement Security Task Forces, and Integrated Border Enforcement Teams. Tribes must submit to DHS a written letter from a Federal agency which explicitly requests tribal staff participation in an eligible activity or illustrates how the activities support the roles and responsibilities of fusion centers as noted in Appendix 1 of the National Strategy for Information Sharing and provides an estimate of the size of the request in man-hours. Grant funding can only be used in proportion to the Federal man-hour estimate, and only after funding for these activities from other Federal sources (i.e. FBI JTTF payments to State and local agencies) has been exhausted. Under no circumstances should DHS grant funding be used to pay for costs already supported by funding from another Federal source.

2. Intelligence Analysts. SHSP funds may be used to hire new staff and/or contractor positions to serve as intelligence analysts to enable information/intelligence sharing capabilities. In order to be hired as an intelligence analyst, staff and/or contractor personnel must meet at least one of the following criteria:

   - Successfully complete training to ensure baseline proficiency in *intelligence analysis and production* within six months of being hired; and/or,
   - Previously served as an intelligence analyst for a minimum of two years either in a Federal intelligence agency, the military, or State and/or local law enforcement intelligence unit.

   Costs associated with hiring new intelligence analysts are allowable only for two years, after which tribes shall be responsible for supporting the

[3] The effectiveness of a request for the use of funds for allowable organizational costs will be judged on the Investment Justification to illustrate the need for such resources to effectively achieve a capability that will have a meaningful impact in the reduction of risk.

sustainment costs for those intelligence analysts. Use of funds for the hiring of intelligence analysts represents a commitment by the grantee to sustain Federally-funded positions after the two-year Federal funding period with non-Federal funds. Failure to sustain such positions will result in disqualification of grantees from hiring analysts with Federal funds in future program years. In order to receive funds for hiring intelligence analysts, the tribe must retain certification on file stating that the responsible jurisdiction will assume responsibility for supporting the costs of the hired analysts following the two-year Federal funding period. This certification must also be accompanied by a budget plan providing the details of this arrangement.

All intelligence analyst training should be in accordance with Global's *Minimum Criminal Intelligence Training Standards for Law Enforcement and Other Criminal Justice Agencies in the United States*, which outlines the minimum categories of training needed for intelligence analysts. These include subject-matter expertise, analytic methodologies, customer-service ethics, information handling and processing skills, critical thinking skills, computer literacy, and objectivity and intellectual honesty. A certificate of completion of such training must be on file with the tribe and must be made available to FEMA Headquarters Program Analysts upon request.

3. Equipment Activities.

The 21 allowable prevention, protection, response, and recovery equipment categories and equipment standards for FY 2008 SHSP are listed on the web-based version of the Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB), at *http://www.rkb.us*.

The Standardized Equipment List (SEL) is located at this site as well. In some cases, items on the SEL are not allowable under SHSP or will not be eligible for purchase unless specific conditions are met. Unless otherwise stated, equipment must meet all mandatory regulatory and/or DHS-adopted standards to be eligible for purchase using these funds. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

4. Training Activities.

Tribes are strongly encouraged to use SHSP funds to develop a tribal homeland security training program. Allowable training-related costs under SHSP include the establishment, support, conduct, and attendance of training specifically identified under the SHSP grant program. Allowable training topics include, but are not limited to, CBRNE terrorism, cyber/agriculture/food security, intelligence gathering and analysis, NIMS related training, citizen and community preparedness, and training for volunteers.

Training conducted using SHSP funds should address a performance gap identified through an After Action Report/Improvement Plan (AAR/IP) or contribute to building a capability that will be evaluated through an exercise. Exercises should be used to

provide the opportunity to demonstrate and validate skills learned in training, as well as to identify training gaps. Any training or training gaps should be identified in the AAR/IP and addressed in the tribal training cycle. All training and exercises conducted with SHSP funds should support the development and testing of the jurisdiction's Emergency Operations Plan (EOP) or specific annexes, where applicable.

Additional information regarding training is located in Appendix C.

5. Exercise Activities.

Exercises conducted with FEMA support must be managed and executed in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP). HSEEP Volumes I-III contain guidance for exercise design, development, conduct, evaluation and improvement planning. HSEEP Volume IV provides sample exercise materials and HSEEP Volume V: Prevention Exercises contains guidance and recommendations for designing, developing, conducting, and evaluating prevention-focused exercises. All volumes can be found at *http://hseep.dhs.gov.*

All exercises using SHSP funding must be NIMS compliant. More information is available online at the NIMS Integration Center, *http://www.fema.gov/emergency/nims/index.shtm.*

Additional information regarding exercises is located in Appendix C.

6. Personnel Activities.

Personnel hiring, overtime, and backfill expenses are permitted under this grant in order to perform allowable FY 2008 SHSP planning, training, exercise, and equipment activities.

- A personnel cap of up to 15 percent of total program funds may be used. Grantees who wish to seek a waiver from the 15 percent personnel cap must provide documentation explaining why the 15 percent personnel cap is unacceptable; waiver requests will be considered only under extreme circumstances.
- The category of personnel costs does not apply to contractors.

FY 2008 SHSP funds may not be used to support the hiring of any personnel for the purposes of fulfilling traditional public safety duties or to supplant traditional public safety positions and responsibilities.

The following are definitions for the terms as used in this grant guidance:

- **Hiring** – Tribal entities may use grant funding to cover the salary of newly hired personnel who are exclusively undertaking allowable FEMA program activities as specified in this guidance. This may **not** include new personnel who are hired to

fulfill any non-FEMA program activities under any circumstances. Hiring will always result in a net increase of FTEs.

- **Overtime** – These expenses are limited to the additional costs which result from personnel working over and above 40 hours of weekly work time as a direct result of their performance of FEMA-approved activities specified in this guidance. Overtime associated with any other activity is not eligible.
- **Backfill-related Overtime** – Also called "Overtime as Backfill," these expenses are limited to overtime costs which result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to FEMA-approved activities outside their core responsibilities. Backfill-related overtime only includes the difference between the overtime rate paid and what would have otherwise been paid to the backfilling employee for regular time. Under no circumstances should the entire amount of backfill overtime expense be charged to an award. Neither overtime nor backfill expenses are the result of an increase of Full-Time Equivalent (FTE) employees.
- **Supplanting** – Replacing a currently budgeted position with one or more full-time employees or contracted supported in whole or in part with Federal funds.

***Management and Administration (M&A) limits*.** A maximum of up to three percent (3%) of funds awarded may be retained by the direct tribal grantee, and any funds retained are to be used solely for management and administrative purposes associated with the SHSP award.

7. Construction and Renovation.

Use of SHSP funds for construction and renovation is generally prohibited except as outlined below. Such construction and renovation shall be strictly limited and allowable only when it is a necessary component of a security system at critical infrastructure facilities.

Project construction and renovation not exceeding $1,000,000 is allowable, as deemed necessary. The following types of projects are considered to constitute construction or renovation, and *must be submitted to FEMA for compliance review and approval under Federal environmental planning and historic preservation (EHP) laws and requirements prior to initiation of the project*:

- Construction of and renovation to guard facilities
- Renovation of and modifications, including the installation of security and communication equipment, to buildings and structures that are 50 years old or older
- Any other construction or renovation efforts that change or expand the footprint of a facility or structure, including security enhancements to improve perimeter security.
- Physical security enhancements, including but not limited to:
    - Lighting
    - Fencing

- Closed-circuit television (CCTV) systems
- Motion detection systems
- Barriers, doors, gates and related security enhancements

In addition, the erection of communications towers that are included in a jurisdiction's interoperable communications plan is allowed, subject to all applicable laws, regulations, and licensing provisions. Communication tower projects must be submitted to FEMA for EHP review.

In order to draw down funds for construction and renovation costs under SHSP grantees must provide to FEMA:

- A description of the asset or facility, asset location, whether the infrastructure is publicly or privately owned, and the construction or renovation project
- Certification that a facility vulnerability assessment has been conducted
- An outline addressing how the construction or renovation project will address the identified vulnerabilities from the assessment
- Consequences of not implementing the construction or renovation project
- Any additional information requested by FEMA to ensure compliance with Federal environmental and historic preservation requirements.

Grantees should refer to FEMA's Information Bulletin #271, *Environmental and Planning and Historic Preservation Requirements for Grants*.

PART V.
LAW ENFORCEMENT TERRORISM PREVENTION-ORIENTED ALLOWABLE COSTS

Tribes are required to ensure that at least 25 percent of their SHSP award funds are dedicated towards law enforcement terrorism prevention-oriented planning, organization, training, exercise, and equipment activities. These include the following activities:

- Information sharing and analysis;
- Target hardening;
- Threat recognition;
- Terrorist interdiction;
- Subject to the limitations on Organization and Personnel Costs outlined above, overtime expenses consistent with homeland security plans, including for the provision of enhanced law enforcement operations in support of Federal agencies, including for increased border security and border crossing enforcement;
- Subject to the limitations on Organization and Personnel Costs outlined above, establishing, enhancing, and staffing with appropriately qualified personnel State, local, and regional fusion centers;
- Subject to the limitations on Organization and Personnel Costs outlined above, paying salaries and benefits for personnel, including individuals employed by the grant recipient on the date of the relevant grant application, to serve as qualified intelligence analysts;

Please refer to Appendix C, *SHSP Allowable Expenses, Additional Information,* for specific examples on allowable law enforcement terrorism prevention-oriented planning, training, and exercise activities.

Appendix A.

50 Most Populous Metropolitan Statistical Areas

Metropolitan Statistical Area (listed alphabetically)	
Atlanta-Sandy Springs-Marietta	Providence-New Bedford-Fall River
Austin-Round Rock	Richmond
Baltimore-Towson	Riverside-San Bernardino-Ontario
Birmingham-Hoover	Rochester
Boston-Cambridge-Quincy	Sacramento--Arden-Arcade--Roseville
Buffalo-Niagara Falls	Salt Lake City
Charlotte-Gastonia-Concord	San Antonio
Chicago-Naperville-Joliet	San Diego-Carlsbad-San Marcos
Cincinnati-Middletown	San Francisco-Oakland-Fremont
Cleveland-Elyria-Mentor	San Jose-Sunnyvale-Santa Clara
Columbus	Seattle-Tacoma-Bellevue
Dallas-Fort Worth-Arlington	St. Louis
Denver-Aurora	Tampa-St. Petersburg-Clearwater
Detroit-Warren-Livonia	Virginia Beach-Norfolk-Newport News
Hartford-West Hartford-East Hartford	Washington-Arlington-Alexandria
Houston-Sugar Land-Baytown	
Indianapolis-Carmel	
Jacksonville	
Kansas City	
Las Vegas-Paradise	
Los Angeles-Long Beach-Santa Ana	
Louisville-Jefferson County	
Memphis	
Miami-Fort Lauderdale-Miami Beach	
Milwaukee-Waukesha-West Allis	
Minneapolis-St. Paul-Bloomington	
Nashville-Davidson--Murfreesboro	
New Orleans-Metairie-Kenner	
New York-Northern New Jersey-Long Island	
Oklahoma City	
Orlando-Kissimmee	
Philadelphia-Camden-Wilmington	
Phoenix-Mesa-Scottsdale	
Pittsburgh	
Portland-Vancouver-Beaverton	

APPENDIX B.
AUTHORIZED ALLOWABLE COSTS

FY 2008 Allowable Cost Matrix

Allowable Program Activities Current as of FY 2008 Programs* See the respective program guidance for additional details and/or requirements *As of Publication
Allowable Planning Costs
Public education & outreach
Develop and implement homeland security support plans and adopt ongoing DHS National Initiatives
Develop and enhance plans and protocols
Develop or conduct assessments
Establish, enhance, or evaluate Citizen Corps related volunteer programs
Hiring of full- or part-time staff or contract/consultants to assist with planning activities (not for the purpose of hiring public safety personnel fulfilling traditional public safety duties)
Conferences to facilitate planning activities
Materials required to conduct planning activities
Travel/per diem related to planning activities
Overtime and backfill costs (IAW operational Cost Guidance)
Other project areas with prior approval from FEMA
Allowable Organizational Activities
Overtime for information, investigative, and intelligence sharing activities (up to 15 percent of the allocation)
Hiring of full- or part-time staff or contractors for emergency management activities
Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 15 percent of the allocation)
Allowable Equipment Categories
Personal Protective Equipment
Explosive Device Mitigation and Remediation Equipment
CBRNE Operational Search and Rescue Equipment
Information Technology
Cyber Security Enhancement Equipment
Interoperable Communications Equipment
Detection
Decontamination
Medical
Power
CBRNE Reference Materials
CBRNE Incident Response Vehicles
Terrorism Incident Prevention Equipment
Physical Security Enhancement Equipment
Inspection and Screening Systems

Allowable Program Activities Current as of FY 2008 Programs* See the respective program guidance for additional details and/or requirements *As of Publication
Agriculture Terrorism Prevention, Response, and Mitigation Equipment
CBRNE Prevention and Response Watercraft
CBRNE Aviation Equipment
CBRNE Logistical Support Equipment
Intervention Equipment
Other Authorized Equipment
Allowable Training Costs
Overtime and backfill for emergency preparedness and response personnel attending FEMA-sponsored and approved training classes
Overtime and backfill expenses for part-time and volunteer emergency response personnel participating in FEMA training
Training workshops and conferences
Full- or part-time staff or contractors/consultants
Travel
Supplies
Tuition for higher education
Other items
Allowable Exercise Related Costs
Design, Develop, Conduct and Evaluate an Exercise
Exercise planning workshop
Full- or part-time staff or contractors/consultants
Overtime and backfill costs, including expenses for part-time and volunteer emergency response personnel participating in FEMA exercises
Implementation of HSEEP
Travel
Supplies
Other items
Allowable Management & Administrative Costs
Hiring of full- or part-time staff or contractors/consultants to assist with the management of the respective grant program, application requirements, compliance with reporting and data collection requirements
Development of operating plans for information collection and processing necessary to respond to FEMA data calls
Overtime and backfill costs
Travel
Meeting related expenses
Authorized office equipment
Recurring expenses such as those associated with cell phones and faxes during the period of performance of the grant program
Leasing or renting of space for newly hired personnel during the period of performance of the grant program

APPENDIX C.
SHSP ALLOWABLE EXPENSES: ADDITIONAL INFORMATION

A. Overview.

The following provides guidance on allowable costs within Planning, Training, and Exercise activities. ***Planning, Training, and Exercise activity examples specific towards law enforcement terrorism prevention and protection are identified beginning on page C-11.***

1. Planning Activities Information.

The *FY 2008 SHSP Guidance and Application Kit* defines four broad categories of allowable planning costs. Following are examples for each of the categories.

- Developing scenario plans that incorporate the range of prevention, protection, response, and recovery activities for a scenario

- Developing and implementing homeland security support programs and adopting DHS national initiatives including but not limited to the following:

    - Implementing the National Preparedness Guidelines
    - Costs associated with the adoption, implementation and adherence to NIMS compliance requirements; including implementing the NIMS National Credentialing Framework.
    - Modifying existing incident management and EOPs to ensure proper alignment with the NRF coordinating structures, processes, and protocols
    - Establishing or enhancing mutual aid agreements
    - Developing communications and interoperability protocols and solutions
    - Conducting local, regional, and Tribal program implementation meetings
    - Developing or updating resource inventory assets in accordance to typed resource definitions issued by the NIMS Integration Center (NIC)
    - Designing geospatial data systems
    - Conducting public education and outreach campaigns, including promoting individual, family and business emergency preparedness; alerts and warnings education; and evacuation plans as well as IED or bombing prevention awareness

- Developing related terrorism prevention activities including:

    - Developing law enforcement prevention activities, to include establishing and/or enhancing a fusion center
    - Hiring an IT specialist to plan, develop, and implement the IT applications necessary for a fusion center
    - Developing and planning for information/intelligence sharing groups

- Hiring contractors and consultants to make recommendations on the development of a fusion center
- Integrating and coordinating private sector participation with fusion center activities
- Acquiring systems allowing connectivity to State, local, and Federal data networks, such as the National Crime Information Center (NCIC) and Integrated Automated Fingerprint Identification System (IAFIS), as appropriate
- Planning to enhance security during heightened alerts, during terrorist incidents, and/or during mitigation and recovery
- Multi-discipline preparation across first responder community, including EMS for response to catastrophic events and acts of terrorism
- Public information/education: printed and electronic materials, public service announcements, seminars/town hall meetings, web postings coordinated through local Citizen Corps Councils
- Citizen Corps volunteer programs and other activities to strengthen citizen participation
- Conducting public education campaigns, including promoting individual, family and business emergency preparedness; promoting the *Ready* campaign; and/or creating tribal emergency preparedness efforts that build upon the *Ready* campaign
- Evaluating CIP security equipment and/or personnel requirements to protect and secure sites
- CIP cost assessments, including resources (e.g., financial, personnel) required for security enhancements/deployments
- Multi-Jurisdiction Bombing Prevention Plans (MJBPP)[4]
- Underwater Terrorist Protection Plans

- Developing and enhancing plans and protocols, including but not limited to:

  - Developing or enhancing EOPs and operating procedures
  - Developing terrorism prevention/deterrence plans
  - Developing plans, procedures, and requirements for the management of infrastructure and resources related to SHSP and implementation of tribal Homeland Security Strategies
  - Developing or enhancing border security plans
  - Developing or enhancing cyber security plans
  - Developing or enhancing cyber risk mitigation plans
  - Developing or enhancing agriculture/food security risk mitigation, response, and recovery plans

[4] The SAA should examine current bombing prevention and explosive device response capabilities as an import risk reduction activity. An explosive devise recognition capability analysis can assist in determining their opportunities for increasing the capability to execute steady state and threat initiated tasks to prevent and respond to a bombing incident.

- Developing public/private sector partnership emergency response, assessment, and resource sharing plans
- Developing or enhancing plans to engage and interface with, and to increase the capacity of, private sector/non-governmental entities working to meet the human service response and recovery needs of victims
- Developing or updating local or regional communications plans
- Developing plans to support and assist special needs jurisdictions, such as port authorities and rail and mass transit agencies
- Developing or enhancing continuity of operations and continuity of government plans
- Developing or enhancing existing catastrophic incident response and recovery plans to include and integrate Federal assets provided under the NRF
- Developing or enhancing evacuation plans
- Developing or enhancing citizen surge capacity
- Developing or enhancing plans for donations and volunteer management and the engagement/integration of private sector/non-governmental entities in preparedness, response, and recovery activities
- Developing or enhancing Bombing Prevention Plans
- Developing school preparedness plans
- Ensuring jurisdiction EOPs adequately address warnings, emergency public information, evacuation, mass care, resource management from non-governmental sources, unaffiliated volunteer and donations management, and volunteer resource integration to support each Emergency Support Function, to include appropriate considerations for special needs populations
- Developing and implementing civil rights, civil liberties and privacy policies, procedures, and protocols
- Designing and developing geospatial data systems

- Developing or conducting assessments, including but not limited to:

  - Conducting point vulnerability assessments at critical infrastructure sites/key assets and develop remediation/security plans
  - Developing border security operations plans in coordination with CBP
  - Developing, implementing, and reviewing Area Maritime Security Plans for ports, waterways, and coastal areas
  - Updating and refining threat matrices
  - Conducting cyber risk and vulnerability assessments
  - Conducting assessments and exercising existing catastrophic incident response and recovery plans and capabilities to identify critical gaps that cannot be met by existing tribal resources
  - Conducting Bombing Prevention Capability Analysis
  - Activities that directly support the identification of specific catastrophic incident priority response and recovery projected needs across disciplines

(e.g. law enforcement, fire, EMS, public health, behavioral health, public works, agriculture, information technology, and citizen preparedness)
- Activities that directly support the identification of pre-designated temporary housing sites
- Conducting community assessments, surveys, and research of vulnerabilities and resource needs, and determine citizen education and participation to meet the needs
- Conducting Citizen Corps program assessments and evaluations, citizen preparedness surveys, volunteer impact studies, and cost/benefit analysis
- Soft target security planning (public gatherings)

A. Training Information and Requirements.

1. Training Information Reporting System ("Web-Forms")*.* Web-Forms is an electronic form/data management system built to assist the tribe with the reporting of State and Federal sponsored training information. Web-Forms can be accessed through the FEMA Toolkit located at *http://www.firstrespondertraining.gov/admin*.

2. Types of training. FEMA facilitates a number of different training sources:

- **FEMA Provided Training:** These courses or programs are developed for and/or delivered by institutions and organizations funded directly by FEMA. This includes the Center for Domestic Preparedness (CDP), the National Domestic Preparedness Consortium (NDPC), the Rural Domestic Preparedness Consortium (RDPC), National Emergency Training Center (National Fire Academy and the Emergency Management Institute), and FEMA Training Partners funded through the Continuing and Demonstration Training grant programs.
- **Training Not Provided by FEMA:** These courses are either State sponsored or Federal sponsored, coordinated and approved by the SAA or their designated Training Point of Contact (TPOC), and fall within the FEMA mission scope to prepare State and local personnel to prevent, protect against, respond to, and recover from acts of terrorism or catastrophic events.
- **State Sponsored Courses:** These courses are developed for and/or delivered by institutions or organizations other than Federal entities or FEMA and are sponsored by the State or their designated TPOC.
- **Approved State Sponsored Course Catalog:** This catalog lists State/Territory sponsored courses that fall within the FEMA mission scope and have been approved through the FEMA course review and approval process. An updated version of this catalog can be accessed at *http://www.firstrespondertraining.gov/odp_webforms*.
- **Federal Sponsored Courses:** This catalog lists courses developed for and/or delivered by institutions funded by Federal entities other than FEMA.
- **Approved Federal Sponsored Course Catalog**: This catalog lists Federal-sponsored courses that fall within the FEMA mission scope, and have been approved through the FEMA course review and approval process. An updated

version of this catalog can be accessed at *http://www.firstrespondertraining.gov/odp_webforms*.

a. FEMA Provided Training. FEMA funds the direct delivery of a variety of classes that States can request to meet training needs. These classes are listed in the FEMA approved course catalog listed at *http://www.firstrespondertraining.gov/odp_webforms*.

Each FEMA Training Partner should contact the SAA or designated TPOC for locations within the State that are appropriate for the training. When the direct delivery funds are exhausted, the Training Partner can continue to offer the classes to the States through one of two methods—the Cooperative Training Outreach Program (CO-OP) or the Excess Delivery Acquisition Program (EDAP).

The FEMA CO-OP has been reworked and renamed as the Voluntary Training Enhancement Program (VTEP). VTEP is a voluntary program designed to increase flexibility for States and Territories while enhancing FEMA's training delivery capability and complementing the current training partner pool. Funding from previous fiscal years **may** be used to support a State, Territory, Urban Area, or tribe's implementation of this program.

EDAP allows a FEMA Training Partner to charge for a course delivery when the Federal grant that developed the program is completed or more deliveries of a requested class are needed than the grant funds can accommodate. This cost per class is approved by FEMA so that States pay for the cost of instruction only, not the curriculum development costs that were paid by FEMA training grant funds. SHSP funds can be used to pay for the delivery of these classes within a State at the request of the SAA/TPOC.

b. Attending Training Not Provided by FEMA (State or Federal Sponsored Courses). Tribes are not required to request approval from FEMA for personnel to attend training not provided by FEMA (State or Federal-sponsored courses) provided that the training is coordinated with and approved by the TPOC and falls within the FEMA mission scope and the jurisdiction's EOP and Strategy of preparing State and local personnel or citizens to prevent, protect against, respond to, and recover from acts of terrorism or catastrophic events.

Tribes are required, within 30 days after attendance, to submit information through the TPOC via Web-Forms on all training not provided by FEMA, but supported with SHSP funds. This information will consist of course title, course description, mission area, level of training, the training provider, the date of the course, the number and associated disciplines of the individuals, and the sponsoring jurisdiction. Tribes intending to use FEMA funds to support attendance at training not provided by FEMA must ensure these courses:

- Fall within the FEMA mission scope to prepare tribal personnel to prevent, protect against, respond to, and recover from acts of terrorism and catastrophic events

- Build additional capabilities that a) support a specific training need identified by the tribe, and b) comport with the tribal Homeland Security Strategy
- Address specific tasks and/or competencies articulated in FEMA's *Emergency Responder Guidelines* and the *Homeland Security Guidelines for Prevention and Deterrence*
- Address specific capabilities and related tasks articulated in the September 2006 version of the TCL, available through LLIS
- Support the specific program training activities identified in SHSP for which the funding will be used
- Comport with all applicable Federal, State, and local regulations, certifications, guidelines, and policies deemed appropriate for the type and level of training

In support of the continuing efforts to build common catalogs of approved training not provided by FEMA, the TPOC will be allowed three deliveries of the same course within a tribe before the course is required to go through the FEMA State course review and approval process. Additional course deliveries will be authorized during the review period. However, if the course is disapproved as part of the process, no additional FEMA funds can be dedicated to attending the course.

c. State and Federal-Sponsored Course Catalogs. Courses approved by FEMA will be added to either the approved State Sponsored Course Catalog or the Federal Sponsored Course Catalog. Courses identified within these catalogs may be attended on an unlimited basis within any State/Territory as long as the training is coordinated and approved by the SAA/TPOC. A full description of the FEMA Course Development, Review, and Approval Process, as well as the approved course catalogs, can be found at *http://www.firstrespondertraining.gov/odp_webforms*.
FEMA will respond to the initial request for review within 15 days with one of the following outcomes:

- Course concept is approved as consistent with the State plan and the State should submit the full course package for subject matter expert review and comment.
- Course concept is disapproved as inconsistent with State plan, FEMA guidance, or is exactly the same as another course in the catalog (no need for another approval, refer to the curriculum already developed and approved).

At any time, the SAA/TPOC (for State-sponsored courses) or the Federal Agency POC (for Federal sponsored courses) may request the addition of a course to the corresponding approved catalog by submitting the associated Web-Form (i.e., Request for Addition to the Approved State-Sponsored Catalog) for review. If a class on the same subject is already in the catalog, the submitting State should provide documentation as to why the course is unique, after contacting the owner(s) of the other courses to review the curriculum. This step is required to avoid unnecessary duplication of similar courses in the catalog, allow States to share course development costs, permit all States to have access to new or unique courses developed by other providers, and allow States to direct their training dollars to delivery rather than development. If it is determined that the proposed course meets the above listed

criteria, the providing entity (SAA/TPOC or Federal Agency POC) will be invited to submit the Course Review and Approval Request Form along with all supporting training materials.

For further information on developing courses using the instructional design methodology and tools that can facilitate the process, SAAs and TPOCs are encouraged to review the FEMA Strategy for Blended Learning and access the Responder Training Development Center available at *http://www.firstrespondertraining.gov/admin*.

FEMA funds must be used to supplement, not supplant, existing funds that have been appropriated for the same purpose. FEMA will conduct periodic reviews of all State, Territory, Urban Area, and tribal training funded by FEMA. These reviews may include requests for all course materials and physical observation of, or participation in, the funded training. If these reviews determine that courses are outside the scope of this guidance, grantees will be asked to repay grant funds expended in support of those efforts.

States and Territories are required to conduct an annual Training and Exercise Plan Workshop to identify key priorities and major events over a multi-year time frame and to align training and exercises in support of those priorities; tribes should be engaged with their State counterparts in this initiative. A Multi-year Training and Exercise Plan will be produced from the Training and Exercise Plan Workshop to include the State's training and exercise priorities, associated training and exercise capabilities, and a multi-year training and exercise schedule. Further guidance concerning the Multi-year Training and Exercise Plan can be found in the Exercises discussion in Appendix C.

3. Allowable Training Costs.

Allowable training-related costs include, but are not limited to, the following:

- **Funds used to develop, deliver, and evaluate training,** including costs related to administering the training, planning, scheduling, facilities, materials and supplies, reproduction of materials, and equipment.
- **Overtime and Backfill** costs, as defined in this guidance, associated with attending or teaching FEMA-sponsored and/or approved training courses and programs are allowed. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the tribe. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from both their unit or agency of government AND from an award for a single period of time (e.g., 1:00 pm to 5:00 pm), even though such work may benefit both activities. Further, overtime costs associated with employees who participate in training in a teaching role for which they are compensated are not allowed. Fringe benefits on overtime hours are limited to Federal Insurance Contributions Act (FICA), Workers' Compensation and Unemployment Compensation.

- **Travel** costs (e.g., airfare, mileage, per diem, hotel) are allowable as expenses by employees who are on travel status for official business related to approved training.
- **Hiring of Full or Part-Time Staff or Contractors/Consultants** to support training-related activities. Payment of salaries and fringe benefits must be in accordance with the policies of the tribe. Such costs must be included within the funding allowed for program management personnel expenses, which must not exceed 15 percent of the total allocation as specified in section E.6. In no case is dual compensation allowable (see above).
- **Certification/Recertification of Instructors** is an allowable cost. Tribes are encouraged to follow the FEMA Instructor Quality Assurance Program to ensure a minimum level of competency and corresponding levels of evaluation of student learning. This is particularly important for those courses that involve training of trainers. This information is contained in an information bulletin issued in October 2006.

C. Exercise Requirements.

1. Training and Exercise Plan Workshop. States and Urban Areas are required to conduct an annual Training and Exercise Plan Workshop (T&EPW); tribes should be engaged with their State counterparts in this initiative. A Multi-year Training and Exercise Plan must be produced from the T&EPW and submitted to the State's respective Exercise Manager and FEMA Headquarters Program Analyst. This plan must be updated annually.

The Training and Exercise Plan will include the State's training and exercise priorities, associated capabilities, and a multi-year training and exercise schedule. The schedule must be submitted within 60 days of the workshop and should reflect all exercises that are being conducted throughout the State. All scheduled exercises must be entered through the National Exercise Schedule (NEXS) Application, which is located on the HSEEP website. A template of the Multi-year Training and Exercise Plan can be found in HSEEP Volume IV.

States must complete a cycle of exercise activity during the period of this grant. States and Urban Areas are encouraged to use exercises as an opportunity to meet the requirements of multiple exercise programs. To this end, grantees are encouraged to invite representatives/planners involved with other Federally-mandated or private exercise activities. States and Urban Areas are encouraged to share, at a minimum, the multi-year training and exercise schedule with those departments, agencies, and organizations included in the plan.

Further guidance concerning Training and Exercise Plan Workshops can be found in the HSEEP Volumes.

2. Exercise Scenarios. The scenarios used in SHSP -funded exercises must be based on homeland security plans. Acceptable scenarios include: chemical, biological,

radiological, nuclear, explosive, cyber, agricultural and natural or technological disasters. Exercise scenarios must be catastrophic in scope and size, as defined by the National Response Framework.

The scenarios used in SHSP -funded exercises must focus on validating existing capabilities and must be large enough in scope and size to exercise multiple tasks and warrant involvement from multiple jurisdictions and disciplines and non-governmental organizations. Exercise scenarios should also be based on the Multi-year Training and Exercise Plan.

3. Models, Simulations and Games (MS&G). Grantees who wish to expend funds on models, simulations, or games (MS&G) must consult with *"Review of Models, Simulations, and Games for Domestic Preparedness Training and Exercising, Volume III,"* which provides an overview and analysis of existing models, simulations, and games. Grantees can also consult with the MS&G Decision Support System, which automates the aforementioned report into a searchable database. Both the report and system are available through the HSEEP website.

4. Special Event Planning. If a tribe will be hosting an upcoming special event (e.g., Super Bowl, G-8 Summit); they anticipate participating in a Tier 2 National-Level Exercise as defined by the National Exercise Program Implementation Plan (NEP I-Plan); or they anticipate that they will apply to be a venue for a Tier 1 National-Level Exercise, as defined by the I-Plan, they should plan to use SHSP funding to finance training and exercise activities in preparation for that event. Tribes should also consider exercises at major venues (e.g., arenas, convention centers) that focus on evacuations, communications, and command and control. States should also anticipate participating in at least one Regional Exercise annually; tribes should be engaged with their State counterparts in this initiative. States must include all confirmed or planned special events in the Multi-year Training and Exercise Plan.

5. Exercise Evaluation. All exercises will be performance-based and evaluated. An After-Action Report/Improvement Plan (AAR/IP) will be prepared and submitted to FEMA within 60 days, following every exercise, regardless of type or scope. AAR/IPs must conform to the HSEEP format, should capture objective data pertaining to exercise conduct, and must be developed based on information gathered through Exercise Evaluation Guides (EEGs) found in HSEEP Volume IV. All applicants are encouraged to use the Lessons Learned Information Sharing System (LLIS.gov) as a source for lessons learned and to exchange best practices.

6. Self-Sustaining Exercise Programs. States are expected to develop a self-sustaining exercise program; tribes should be engaged with their State counterparts in this initiative. A self-sustaining exercise program is one that is successfully able to implement, maintain, and oversee the Multi-year Training and Exercise Plan, including the development and delivery of SHSP-funded exercises. The program must utilize a multi-disciplinary approach to the development and delivery of exercises, and build upon existing plans, training, and equipment.

7. Role of Non-Governmental Entities in Exercises. Non-governmental participation in all levels of exercises is strongly encouraged. Leaders from non-governmental entities should be included in the planning, conduct, and evaluation of an exercise. State, local, and tribal jurisdictions are encouraged to develop exercises that test the integration and use of non-governmental resources provided by non-governmental entities, defined as the private sector and private non-profit, faith-based, community, volunteer and other non-governmental organizations. Non-governmental participation in exercises should be coordinated with the local Citizen Corps Council(s).

D. Allowable Exercise Costs.

Allowable exercise-related costs include:

- **Funds Used to Design, Develop, Conduct and Evaluate an Exercise** – Includes costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel, and documentation.
- **Hiring of Full or Part-Time Staff or Contractors/Consultants** – Full or part-time staff may be hired to support exercise-related activities. Such costs must be included within the funding allowed for program management personnel expenses, which must not exceed 15 percent of the total allocation. The applicant's formal written procurement policy or the Federal Acquisition Regulations (FAR) – whichever is more stringent – must be followed. In no case is dual compensation allowable.
- **Overtime and Backfill** – Overtime and backfill costs associated with the design, development, and conduct of exercises are allowable expenses. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the state or unit(s) of local government and has the approval of the state or the awarding agency, whichever is applicable. In no case is dual compensation allowable (see above). Fringe benefits on overtime hours are limited to FICA, Workers' Compensation and Unemployment Compensation.
- **Travel** – Travel costs are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of exercise project(s).
- **Supplies** – Supplies are items that are expended or consumed during the course of the planning and conduct of the exercise project(s) (e.g., copying paper, gloves, tape, non-sterile masks, and disposable protective equipment).
- **Other Items** – These costs include the rental of space/locations for exercise planning and conduct, rental of equipment (e.g., portable toilets, tents), food, refreshments, gasoline, exercise signs, badges, etc.

E. Unauthorized Exercise Costs.

Unauthorized exercise-related costs include:

- Reimbursement for the maintenance and/or wear and tear costs of general use vehicles (e.g., construction vehicles) and emergency response apparatus (e.g., fire trucks, ambulances).
- Equipment that is purchased for permanent installation and/or use, beyond the scope of exercise conduct (e.g., electronic messaging signs).

F. Allowable Planning, Training, and Exercise Examples Specific to Law Enforcement Terrorism Prevention-oriented Activities

Planning Activity Examples

Establishment / Enhancement of Fusion Centers

- Hiring an IT specialist to plan, develop, and implement the IT applications necessary for the fusion center
- Developing and planning for information/intelligence sharing groups
- Hiring contractors and consultants to make recommendations on the development of the fusion center

Other Allowable Planning Activity Examples

- Conducting point vulnerability analyses and assessments
- Soft target security planning (public gatherings)
- Developing border security operations plans in coordination with CBP
- Developing, implementing, and reviewing Area Maritime Security Plans for ports, waterways, and coastal areas
- Updating and refining threat matrices
- Integrating and coordinating private sector participation with fusion center activities
- Developing and implementing civil rights, civil liberties and privacy policies, procedures, and protocols.
- Acquiring systems allowing connectivity to State, local, and Federal data networks, such as the National Crime Information Center (NCIC) and Integrated Automated Fingerprint Identification System (IAFIS), as appropriate
- Designing and developing geospatial data systems
- Costs associated with the adoption, implementation and adherence to NIMS compliance requirements; including implementing the NIMS National Credentialing Framework.
- Integrating and coordinating private sector participation with fusion center activities

Training Activity Examples

Law enforcement terrorism prevention protection-oriented funds may be used for a range of law enforcement terrorism prevention related training activities to enhance the capabilities of tribal personnel, including the following:

Establishment / Enhancement of Fusion Centers

Grant funds may be used to support intelligence analyst training in the following manners:

- **Participation in DHS approved intelligence analyst training**: Tribes wishing to develop or sponsor intelligence analyst courses for a national audience should submit courses to FEMA for review and approval in accordance with the process outlined in Parts VI and VII of this guidance document. The list of approved courses will be constantly updated and can be accessed in the FEMA catalog at *http://www.firstrespondertraining.gov/odp_webforms*.

- **Limited participation in non-FEMA approved intelligence analyst training**: Tribes may send students to attend non-approved intelligence analysis courses for up to three offerings in accordance with the training process outlined in Parts VI and VII of this guidance document.

A certificate of completion of all intelligence analyst training must be on file with the tribal grantee and must be made available to FEMA Headquarters Program Analysts upon request upon the hiring of personnel.

Additional Allowable Training Activities

Allowable costs include training courses that focus on:

- Building information sharing capacities (especially among law enforcement, non-law enforcement, other government agencies, and the private sector)
- Methods of target hardening
- Facility law enforcement security personnel, to include facilities, vessels and ports
- CBRNE, agriculture, and cyber threats
- History of terrorism and social environments contributing to threats
- Surveillance and counter-surveillance techniques
- Privacy, civil rights, and civil liberties regulations, policies, procedures, and protocols
- Critical Infrastructure Protection training, to include identifying/assessing critical infrastructure assets, vulnerabilities, and threats
- Cyber/agriculture/food security threats recognition and protective measures training
- Cultural awareness training for community engagement activities and undercover operations related to terrorist organizations
- Languages, such as Arabic, Urdu, or Farsi, which are spoken by known terrorists and terrorist organizations
- Joint training with other homeland security entities (e.g., U.S. Secret Service, CBP)
- Use of interoperable communications equipment
- Collection, analysis, mapping, integration, and dissemination of geospatial data and imagery

- Geospatial database use, design, development, and management training
- Volunteer participation to support law enforcement and community policing activities related to increased citizen awareness of terrorism activities, to include the Volunteers in Police Service and Neighborhood Watch programs

Exercise Activity Examples

Law enforcement terrorism prevention-oriented funds may be used to design, develop, conduct, and evaluate terrorism prevention-related exercises, including the following:

- Exercises to evaluate the effectiveness of information sharing plans, policies, procedures, and protocols
- Exercises to evaluate NIMS implementation. This includes costs associated with exercising components of the NIMS National Credentialing Framework.
- Exercises to evaluate facility and/or vessel security protection
- Exercises to evaluate area maritime security protection
- Exercises to evaluate threat recognition capabilities
- Exercises to evaluate cyber security capabilities
- Exercises to evaluate agricultural/food security capabilities
- Exercises to evaluate prevention readiness and techniques
- “Red Team” (force on force) exercises
- Interoperable communications exercises
- Critical infrastructure vulnerability, protection, and/or attack exercises

Where practical, these exercises should involve the public sector, non-governmental partners, trained citizen volunteers, and the general public. Tribal governments should work with their Citizen Corps Councils to include volunteers from programs such as Volunteers in Police Service, Neighborhood Watch, and the general public.

APPENDIX D.
INVESTMENT JUSTIFICATION

Investment Justification Overview.

As part of the FY 2008 SHSP application process, applicants must develop a formal Investment Justification that addresses each initiative being proposed for funding. These Investment Justifications must demonstrate how proposed projects address gaps and deficiencies in current programs and capabilities. The Investment Justification must demonstrate the ability to provide enhancements consistent with the purpose of the program and guidance provided by FEMA. Applicants must ensure that the Investment Justification is consistent with all applicable requirements outlined in this application kit. Please see the *FY 2008 SHSP Tribal Investment Justification Reference Guide* for more information.

APPENDIX E.
FY 2008 SHSP APPLICATION REQUIREMENTS

The following steps must be completed using the on-line *www.grants.gov* system to ensure a successful application submission.

1. **Provide a copy of the application to the State.** Eligible tribes are required to submit a copy of their application for SHSP funds to each State within which any part of the tribe is located for review before the tribe submits it to *http://www.grants.gov*.

2. **Application via *grants.gov*.** FEMA participates in the Administration's e-government initiative. As part of that initiative, all applicants must file their applications using the Administration's common electronic "storefront" -- *grants.gov*. Eligible tribes must apply for funding through this portal, accessible on the Internet at *http://www.grants.gov*.

3. **Application deadline**. Completed Applications must be submitted to *grants.gov* no later than **11:59 PM EDT, May 1, 2008.**

4. **Valid Central Contractor Registry (CCR) Registration**. The application process also involves an updated and current registration by the applicant. Eligible applicants must confirm CCR registration at *http://www.ccr.gov*, as well as apply for funding through *grants.gov.*

5. **On-line application.** The on-line application must be completed and submitted using *grants.gov* after CCR registration is confirmed. The on-line application includes the following required forms and submissions:

    - Investment Justification Report from the Grants Reporting Tool (see Section 1 above for more information)
    - Standard Form 424, Application for Federal Assistance
    - Standard Form 424B Assurances
    - Standard Form LLL, Disclosure of Lobbying Activities
    - Standard Form 424A, Budget Information
    - Certification Regarding Debarment, Suspension, and Other Responsibility Matters
    - Any additional Required Attachments

The program title listed in the Catalog of Federal Domestic Assistance (CFDA) is "*Homeland Security Grant Program.*" The CFDA number is 97.067. When completing the on-line application, applicants should identify their submissions as new, non-construction applications.

6. **Award Period of Performance.** The period of performance is 36 months. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required.

7. **DUNS number**. The applicant must provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number with their application. This number is a required field within *grants.gov* and for CCR Registration. **Eligible tribal applicants should verify that they have a DUNS number, or take the steps necessary to obtain one as soon as possible, as the registration process may take a number of days for completion**. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at (800) 333-0505.

8. **Single Point of Contact (SPOC) review.** Executive Order 12372 requires applicants from eligible tribes to submit a copy of the application to the State SPOC. Applicants must contact their SPOC to determine if the program has been selected for review. Executive Order 12372 can be referenced at *http://www.archives.gov/federal-register/codification/executive-order/12372.html*.

9. **Standard financial requirements.**

   9.1 -- Non-supplanting certification. This certification affirms that grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or grantees may be required to supply documentation certifying that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

   9.2 -- Assurances. Assurances forms (SF-424B and SF-424D) can be accessed at *http://www07.grants.gov/agencies/approved_standard_forms.jsp*. It is the responsibility of the recipient of the Federal funds to understand fully and comply with these requirements. Failure to comply may result in the withholding of funds, termination of the award or other sanctions. The applicant will be agreeing to these assurances upon the submission of the application.

   9.3 -- Certifications regarding lobbying, debarment, suspension, other responsibility matters and the drug-free workplace requirement. This certification, which is a required component of the on-line application, commits the applicant to compliance with the certification requirements under 44 CFR part 17, *Government-wide Debarment and Suspension (Non-procurement)*and *Government-wide Requirements for Drug-Free Workplace (Grants)*; 44 CFR part 18, *New Restrictions on Lobbying*. All of these can be referenced at
   http://www.access.gpo.gov/nara/cfr/waisidx_07/44cfrv1_07.html
   http://www.access.gpo.gov/nara/cfr/waisidx_00/44cfrv1_00.html

Having met all application requirements, applications will be evaluated through the peer review process for completeness, adherence to programmatic guidelines, feasibility, and how well the proposed Investment addresses the identified need(s) or capability shortfall(s). The Investment Justification requires narrative on strategic alignment, funding plan, milestones, project management, potential challenges, impact, and sustainability for each proposal. This information will be used to evaluate the anticipated effectiveness of all proposed Investments. Investment Justification questions and scoring criteria are included in *State Homeland Security Program, Tribal Investment Justification Reference Guide.*

10. Technology requirements.

10.1 -- National Information Exchange Model (NIEM). FEMA requires all grantees to use the latest NIEM specifications and guidelines regarding the use of Extensible Markup Language (XML) for all SHSP awards. Further information about the required use of NIEM specifications and guidelines is available at *http://www.niem.gov*.

10.2 --Geospatial Guidance. Geospatial technologies capture, store, analyze, transmit, and/or display location-based information (i.e., information that can be linked to a latitude and longitude). FEMA encourages grantees to align any geospatial activities with the guidance available on the FEMA website at *http://www.fema.gov/grants*.

10.3 -- 28 C.F.R. Part 23 guidance. FEMA requires that any information technology system funded or supported by SHSP funds comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if this regulation is determined to be applicable.

11. Administrative requirements.

11.1 -- Freedom of Information Act (FOIA). FEMA recognizes that much of the information submitted in the course of applying for funding under this program or provided in the course of its grant management activities may be considered law enforcement sensitive or otherwise important to national security interests. While this information under Federal control is subject to requests made pursuant to the Freedom of Information Act (FOIA), 5. U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the FEMA FOIA Office, and may likely fall within one or more of the available exemptions under the Act. The applicant is encouraged to consult its own State and local laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application, needs assessment and strategic planning process. The applicant may also consult FEMA regarding concerns or questions about the release of information under State and local laws. The grantee should be familiar with the regulations governing Sensitive Security Information (49 CFR Part 1520), as it

may provide additional protection to certain classes of homeland security information.

11.2 -- Protected Critical Infrastructure Information (PCII). The PCII Program, established pursuant to the Critical Infrastructure Information Act of 2002 (CII Act), created a new framework, which enables State, local, and tribal jurisdictions and members of the private sector voluntarily to submit sensitive information regarding critical infrastructure to DHS. The Act also provides statutory protection for voluntarily shared CII from public disclosure and civil litigation. If validated as PCII, these documents can only be shared with authorized users who agree to safeguard the information.

PCII accreditation is formal recognition that the covered government entity has the capacity and capability to receive and store PCII. DHS encourages all tribes to pursue PCII accreditation. Accreditation activities include signing an MOA with DHS, appointing a PCII Officer, and implementing a self-inspection program. For additional information about PCII or the accreditation process, please contact the DHS PCII Program Office at pcii-info@dhs.gov.

11.3 -- Compliance with Federal civil rights laws and regulations. The grantee is required to comply with Federal civil rights laws and regulations. Specifically, the grantee is required to provide assurances as a condition for receipt of Federal funds that its programs and activities comply with the following:

- *Title VI of the Civil Rights Act of 1964, as amended, 42. U.S.C. 2000 et. seq.* – no person on the grounds of race, color or national origin will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity receiving Federal financial assistance. More information can be found at *http://usinfo.state.gov/usa/infousa/laws/majorlaw/civilr19.htm*.

- *Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794* – no qualified individual with a disability in the United States, shall, by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance. More information can be found at *http://www.section508.gov/index.cfm?FuseAction=Content&ID=15*.

- *Title IX of the Education Amendments of 1972*, *as amended, 20 U.S.C. 1681 et. seq.* – discrimination on the basis of sex is eliminated in any education program or activity receiving Federal financial assistance. More information can be found at *http://www.usdoj.gov/crt/cor/coord/titleix.htm*.

- *The Age Discrimination Act of 1975, as amended, 20 U.S.C. 6101 et. seq.* – no person in the United States shall be, on the basis of age, excluded

from participation in, denied the benefits of or subjected to discrimination under any program or activity receiving Federal financial assistance.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes. The grantee is also required to submit information, as required, to the DHS Office for Civil Rights and Civil Liberties concerning its compliance with these laws and their implementing regulations.

11.4 -- Services to limited English proficient (LEP) persons. Recipients of FEMA financial assistance are required to comply with several Federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, natural origin, and sex in the delivery of services. National origin discrimination includes discrimination on the basis of limited English proficiency. To ensure compliance with Title VI, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The grantee is encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. For additional information, see *http://www.lep.gov*.

11.5 -- Integrating individuals with disabilities into emergency planning. Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination against people with disabilities in all aspects of emergency mitigation, planning, response, and recovery by entities receiving financial from FEMA. In addition, Executive Order #13347, entitled "Individuals with Disabilities in Emergency Preparedness" signed in July 2004, requires the Federal Government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism. Executive Order 13347 requires the federal government to, among other things, encourage consideration of the needs of individuals with disabilities served by State, local, and tribal governments in emergency preparedness planning.

FEMA has several resources available to assist emergency managers in planning and response efforts related to people with disabilities and to ensure compliance with Federal civil rights laws:

- **Guidelines for Accommodating Individuals with Disabilities in Disaster:** The Guidelines synthesize the array of existing accessibility requirements into a user friendly tool for use by response and recovery personnel in the field. The Guidelines are available at *http://www.fema.gov/oer/reference/*.

- **Disability and Emergency Preparedness Resource Center:** A web-based "Resource Center" that includes dozens of technical assistance materials to assist emergency managers in planning and response efforts related to people with disabilities. The "Resource Center" is available at *http://www.disabilitypreparedness.gov*.

- *Lessons Learned Information Sharing (LLIS)* resource page on **Emergency Planning for Persons with Disabilities and Special Needs:** A true one-stop resource shop for planners at all levels of government, non-governmental organizations, and private sector entities, the resource page provides more than 250 documents, including lessons learned, plans, procedures, policies, and guidance, on how to include citizens with disabilities and other special needs in all phases of the emergency management cycle.

LLIS.gov is available to emergency response providers and homeland security officials from the local, state, and federal levels. To access the resource page, log onto *http://www.LLIS.gov* and click on *Emergency Planning for Persons with Disabilities and Special Needs* under *Featured Topics*. If you meet the eligibility requirements for accessing Lessons Learned Information Sharing, you can request membership by registering online.

11.6 -- Compliance with the National Energy Conservation Policy and Energy Policy Act. In accordance with the FY 2008 DHS Appropriations Act, all FY 2008 grant funds must comply with the following two requirements:

- None of the funds made available through shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order No. 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby)**.**

- None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC13212).

11.7 -- Environmental and Historic Preservation Compliance. FEMA is required to consider the potential impacts to the human and natural environment of projects proposed for FEMA funding. FEMA, through its Environmental and Historic Preservation (EHP) Program, engages in a review process to ensure that FEMA-funded activities comply with various Federal laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). The goal of these compliance requirements is to protect our nation's water, air, coastal, wildlife, agricultural, historical, and

cultural resources, as well as to minimize potential adverse effects to children and low-income and minority populations.

The grantee shall provide any information requested by FEMA to ensure compliance with applicable Federal EHP requirements. Any project with the potential to impact EHP resources (see Section E.8) cannot be initiated until FEMA has completed its review. Grantees may be required to provide detailed information about the project, including the following: location (street address or map coordinates); description of the project including any associated ground disturbance work, extent of modification of existing structures, construction equipment to be used, staging areas, access roads, etc.; year the existing facility was built; natural, biological, and/or cultural resources present in the project vicinity; visual documentation such as site and facility photographs, project plans, maps, etc; and possible project alternatives.

For certain types of projects, FEMA must consult with other Federal and state agencies such as the U.S. Fish and Wildlife Service, State Historic Preservation Offices, and the U.S. Army Corps of Engineers, as well as other agencies and organizations responsible for protecting natural and cultural resources. For projects with the potential to have significant adverse effects on the environment and/or historic properties, FEMA's EHP review and consultation may result in a substantive agreement between the involved parties outlining how the grantee will avoid the effects, minimize the effects, or, if necessary, compensate for the effects.

Because of the potential for significant adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period. Grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts. Grantees may use SHSP funds toward the costs of preparing such documents and/or implementing treatment or mitigation measures. Failure of the grantee to meet Federal, State, and local EHP requirements, obtain applicable permits, and comply with any conditions that may be placed on the project as the result of FEMA's EHP review may jeopardize Federal funding.

For more information on FEMA's EHP requirements, grantees should refer to FEMA's Information Bulletin #271, *Environmental Planning and Historic Preservation Requirements for Grants*.

APPENDIX F.
AWARD AND REPORTING REQUIREMENTS

Prior to the transition to FEMA, the former Office of Grants and Training preparedness programs followed The Department of Justice's codified regulations, 28 CFR and the OGO Financial Management Guide. The former Office of Grants and Training is now within FEMA and all preparedness programs will follow FEMA's codified regulations, 44 CFR.

A. Grant Award and Obligation of Funds.

Upon approval of an application, the grant will be awarded to the grant recipient. The date that this is done is the "award date."

The period of performance is 36 months. Any unobligated funds will be deobligated at the end of this period. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required.

B. Post Award Instructions.

The following is provided as a guide for the administration of awards. Additional details and requirements may be provided to the grantee in conjunction with finalizing an award.

1. Review award and special conditions document. Notification of award approval is made by e-mail through the Grants Management System (GMS). Once an award has been approved, a notice is sent to the e-mail address of the individual who filed the application, as well as to the authorized grantee official. Follow the directions in the notification email and log into GMS to access the award documents. The authorized grantee official should carefully read the award and special condition documents. If you do not receive a notification e-mail, please contact your FEMA Headquarters Program Analyst for your award number. Once you have the award number, contact the GMS Help Desk at (888) 549-9901, option 3 to obtain the username and password associated with the new award.

If you agree with the terms and conditions, the authorized grantee official should sign and date both the original and the copy of the award document page in Block 19 and initial the special conditions page(s). Retain a copy and fax the documents to (202) 786-9905 Attention: Control Desk or send the original signed documents to:

U.S. Department of Homeland Security/FEMA
Grant Programs Directorate/Control Desk 4th Floor, TechWorld
500 C St., SW
Washington, DC 20472

If you do not agree with the terms and conditions, contact the FEMA Headquarters Program Analyst named in the award package.

2. Complete and return form SF1199A . The SF1199A Direct Deposit Sign-up Form is used to set up direct deposit for grant payments. The SF1199A form can be found at: http://www.fema.gov/government/grant/administration.shtm.

NOTE: Please include your vendor number in Box C of the SF1199A form.

3 Access to payment systems. Grantees under this solicitation will use FEMA's online Payment and Reporting System (PARS) to request funds. The website to access PARS is *https://isource.fema.gov/sf269/execute/LogIn?sawContentMessage=true*. Questions regarding payments or how to access PARS should be directed to the FEMA Call Center at (866) 927-5646 or sent via e-mail to ask-OGO@dhs.gov.

4. Reporting requirements. Reporting requirements must be met throughout the life of the grant (refer to the program guidance and the special conditions found in the award package for a full explanation of these requirements. Please note that PARS contains edits that will prevent access to funds if reporting requirements are not met on a timely basis.

5. Questions about your award? A reference sheet is provided containing frequently asked financial questions and answers. Questions regarding your grant should be directed to the FEMA Call Center at (866) 927-5646 or sent via e-mail to ask-OGO@dhs.gov.

Note: If you have any questions about GMS, need to establish a GMS account, or require technical assistance with accessing your award, contact the GMS Help Desk at (888) 549-9901.

C. Drawdown and Expenditure of Funds.

Following acceptance of the grant award and release of any special conditions withholding funds, the grantee can drawdown and expend grant funds through PARS.

Grant recipients should request funds based upon immediate disbursement requirements. Funds will not be paid in a lump sum, but rather disbursed over time as project costs are incurred or anticipated. Recipients should time their drawdown requests to ensure that Federal cash on hand is the minimum needed for disbursements to be made immediately or within a few days. Grantees may elect to draw down funds up to 120 days prior to expenditure/ disbursement. FEMA strongly encourages recipients to draw down funds as close to expenditure as possible to avoid accruing interest.

Funds received by grantees must be placed in an interest-bearing account and are subject to the rules outlined in 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments and 2 CFR

Part 215, Uniform Administrative Requirements for Grants and Agreements (Including Sub-awards) with Institutions of Higher Education, Hospitals and other Non-profit Organizations (formerly OMB Circular A-110). These regulations further provide that entities are required to promptly, but at least quarterly, remit interest earned on advances to:

United States Department of Health and Human Services
Division of Payment Management Services
P.O. Box 6021
Rockville, MD 20852

The grantee may keep interest earned, up to $100 per fiscal year for administrative expenses. This maximum limit is not per award; it is inclusive of all interest earned on all Federal grant program funds received.

Although advance drawdown requests are permissible, State grantees remain subject to the interest requirements of the Cash Management Improvement Act (CMIA) and its implementing regulations at 31 CFR Part 205. Interest under CMIA will accrue from the time Federal funds are credited to a State account until the time the State pays out the funds for program purposes.

D. Reporting Requirements.

1. Financial Status Report (FSR) -- required quarterly. Obligations and expenditures must be reported on a quarterly basis through the FSR, which is due within 30 days of the end of each calendar quarter (e.g., for the quarter ending March 31, FSR is due no later than April 30). A report must be submitted for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund draw downs may be withheld if these reports are delinquent. The final FSR is due 90 days after the end date of the performance period.

FSRs **must be filed online** through the PARS.

Required submission: Financial Status Report (FSR) SF-269a (due quarterly).

2. Biannual Strategy Implementation Reports (BSIR) and Categorical Assistance Progress Report (CAPR). Following an award, the awardees will be responsible for providing updated obligation and expenditure information on a semi-annual basis. Tribal grantees are responsible for completing and submitting the CAPR/BSIR reports. The BSIR submission will satisfy the narrative requirement of the CAPR. Grantees are still required to submit the CAPR with a statement in the narrative field that reads: *See BSIR*.

The BSIR and the CAPR are due within 30 days after the end of the reporting period (July 30 for the reporting period of January 1 through June 30; and January 30 for the reporting period of July 1 though December 31). Updated obligations and expenditure information must be provided with the BSIR to show progress made toward meeting strategic goals and objectives. Future awards and fund drawdowns may be withheld if these reports are delinquent.

CAPRs must be filed online through the internet at *http://grants.ojp.usdoj.gov*. Guidance and instructions can be found at *https://grants.ojp.usdoj.gov/gmsHelp/index.html*.

Required submission: BSIR and CAPR (due semi-annually).

3. Exercise Evaluation and Improvement. Exercises implemented with grant funds should be threat- and performance-based and should evaluate performance of critical prevention and response tasks required to respond to the exercise scenario. Guidance on conducting exercise evaluations and implementing improvement is defined in the *Homeland Security Exercise and Evaluation Program (HSEEP) Volume II: Exercise Evaluation and Improvement* located at *http://www.fema.gov/government/grant/administration.shtm*. Grant recipients must report on scheduled exercises and ensure that an After Action Report (AAR) and Improvement Plan (IP) are prepared for each exercise conducted with FEMA support (grant funds or direct support) and submitted to FEMA within 60 days following completion of the exercise.

The AAR documents the performance of exercise related tasks and makes recommendations for improvements. The IP outlines the actions that the exercising jurisdiction(s) plans to take to address recommendations contained in the AAR. Generally the IP, with at least initial action steps, should be included in the final AAR. FEMA is establishing a national database to facilitate the scheduling of exercises, the submission of the AAR/IPs and the tracking of IP implementation. Guidance on the development of AARs and IPs is provided in Volume II of the HSEEP manuals.

Required submissions: AARs and IPs (as applicable).

4. Financial and Compliance Audit Report. Recipients that expend $500,000 or more of Federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the U.S. General Accountability Office, *Government Auditing Standards*, located at *http://www.gao.gov/govaud/ybk01.htm*, and *OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations*, located at *http://www.whitehouse.gov/omb/circulars/a133/a133.html*. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year. In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of FY 2008 SHSP assistance for audit and examination

purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance. The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant.

The State shall require that sub-grantees comply with the audit requirements set forth in *OMB Circular A-133*. Recipients are responsible for ensuring that sub-recipient audit reports are received and for resolving any audit findings.

5. Federal Funding Accountability and Transparency Act. While there are no tribal requirements in FY 2008, the Federal Funding Accountability and Transparency Act of 2006 may affect tribal reporting requirements in future years. The Act requires the Federal government to create a publicly searchable online database of Federal grant recipients by January 1, 2008 with an expansion to include sub-grantee information by January 1, 2009.

6. National Preparedness Reporting Compliance. The Government Performance and Results Act (GPRA) requires that the Department collect and report performance information on all programs. For grant programs, the prioritized Investment Justifications and their associated milestones provide an important tool for assessing grant performance and complying with these national preparedness reporting requirements. FEMA will work with grantees to develop tools and processes to support this requirement. FEMA anticipates using this information to inform future-year grant program funding decisions.

E. Monitoring.

Grant recipients will be monitored periodically by FEMA staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets and other related program criteria are being met. Monitoring will be accomplished through a combination of office-based reviews and on-site monitoring visits. Monitoring will involve the review and analysis of the financial, programmatic, performance and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

The recipient is responsible for monitoring award activities, to include sub-awards, to provide reasonable assurance that the Federal award is administered in compliance with requirements. Responsibilities include the accounting of receipts and expenditures, cash management, maintaining of adequate financial records, and refunding expenditures disallowed by audits.

F. Grant Close-Out Process.

Within 90 days after the end of the award period, tribal grantees must submit a final FSR and final CAPR detailing all accomplishments throughout the project. After these reports have been reviewed and approved by FEMA, a Grant Adjustment Notice (GAN) will be completed to close out the grant. The GAN will indicate the project as being closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final FSR. After the financial information is received and approved by GPD, the grant will be identified as "Closed by the Grant Programs Directorate."

Required submissions: (1) final SF-269a, due 90 days from end of grant period; and (2) final CAPR, due 90 days from the end of the grant period.

APPENDIX G.
ADDITIONAL RESOURCES

This Appendix describes several resources that may help applicants in completing an SHSP application.

1. Centralized Scheduling & Information Desk (CSID) Help Line. The CSID is a non-emergency resource for use by emergency responders across the nation. CSID is a comprehensive coordination, management, information, and scheduling tool developed by DHS through FEMA for homeland security terrorism preparedness activities. The CSID provides general information on all FEMA Grant programs and information on the characteristics of CBRNE, agro-terrorism, defensive equipment, mitigation techniques, and available Federal assets and resources.

The CSID maintains a comprehensive database containing key personnel contact information for homeland security terrorism preparedness programs and events. These contacts include personnel at the Federal, State and local levels. The CSID can be contacted at (800) 368-6498 or askcsid@dhs.gov. CSID hours of operation are from 8:00 am–6:00 pm (EST), Monday-Friday.

2. Grant Programs Directorate (GPD). FEMA GPD will provide fiscal support, including pre- and post-award administration and technical assistance, to the grant programs included in this solicitation.

For financial and administrative guidance, all state and local government grant recipients should refer to 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Institutions of higher education, hospitals, and other non-profit organizations should refer to 2 CFR Part 215 for the applicable uniform administrative requirements.

Additional guidance and information can be obtained by contacting the FEMA Call Center at (866) 927-5646 or via e-mail to ask-OGO@dhs.gov.

3. GSA's Cooperative Purchasing Program. The U.S. General Services Administration (GSA) offers two efficient and effective procurement programs for State and local governments to purchase products and services to fulfill homeland security and other technology needs. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term, indefinite delivery, indefinite quantity, government-wide contracts with commercial firms of all sizes.

- Cooperative Purchasing Program
  Section 211 of the E-Government Act of 2002, authorized GSA sales of Schedule 70 IT products and services to State and Local Governments through the introduction of Cooperative Purchasing. The Cooperative Purchasing program allows State and local governments to purchase from Schedule 70 (the Information Technology Schedule) and

the Consolidated Schedule (containing IT Special Item Numbers) **only**. Cooperative Purchasing is authorized by Federal law and was enacted when Section 211 of the E-Government Act of 2002 amended the Federal Property and Administrative Services Act.

Under this program, State and local governments have access to over 3,500 GSA Schedule contractors who have voluntarily modified their contracts to participate in the Cooperative Purchasing program. The U.S. General Services Administration provides a definition of State and local governments as well as other vital information under the frequently asked questions section on its website at *http://www.gsa.gov/cooperativepurchasing*.

- Disaster Recovery Purchasing Program
  GSA plays a critical role in providing disaster recovery products and services to Federal agencies. Now State and Local Governments can also benefit from the speed and savings of the GSA Federal Supply Schedules. Section 833 of the John Warner National Defense Authorization Act for Fiscal Year 2007(Public Law 109-364) amends 40 U.S.C. 502 to authorize the GSA to provide State and Local governments the use of ALL Federal Supply Schedules of the GSA for purchase of products and services to be used to *facilitate recovery from a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act or to facilitate* ***recovery*** *from terrorism or nuclear, biological, chemical, or radiological attack.*

In the aftermath of emergency events, State or local governments' systems may be disrupted. Thus, use of Federal Supply schedule contracts prior to these events to acquire products or services to be used to facilitate recovery is authorized. State or local governments will be responsible for ensuring that purchased products or services are to be used to facilitate recovery.

GSA provides additional information on the Disaster Recovery Purchasing Program website at *http://www.gsa.gov/disasterrecovery*.

State and local governments can find a list of eligible contractors on GSA's website, *http://www.gsaelibrary.gsa.gov*, denoted with a COOP PURCH or DISAST RECOV symbol.

Assistance is available from GSA on the Cooperative Purchasing and Disaster Purchasing Program at the local and national levels. For assistance at the local level, visit *http://www.gsa.gov* to find the point of contact in your area. For assistance at the national level, contact Tricia Reed *at* patricia.reed@gsa.gov*, (571) 259-9921.* More information is available at *http://www.gsa.gov/cooperativepurchasing* and *http://www.gsa.gov/disasterrecovery*.

4. Exercise Direct Support. FEMA has engaged multiple contractors with significant experience in designing, conducting, and evaluating exercises to provide support to Regions, States, and local jurisdictions in accordance with State Homeland Security Strategies and the Homeland Security Exercise and Evaluation Program (HSEEP). Contract support is available to conduct a Training and Exercise (T&E) Plan Workshop

to develop a Multi-year T&E Plan and build or enhance the capacity of jurisdictions to design, develop, conduct, and evaluate effective exercises.

In FY 2008, support for planning and conduct of exercises has shifted in strategy from a State-focused approach, organized by National Preparedness Directorate Headquarters, to a regional (multi-State) approach, organized by the FEMA Regions, to more effectively integrate national, regional, territorial, tribal, State, and local preparedness exercises. At this time, the Regional Exercise Support Program will provide support for one discussion-based exercise (i.e., seminar, workshop or tabletop) and five operations-based (i.e. drills, functional exercises, full scale exercises) exercises within each of the 10 FEMA Regions. The Regional Exercise Support Program support is not limited to new exercise initiatives and can be applied to ongoing exercises to maintain continuity of existing planning schedules. State requests for support will be considered, however priority will be given to exercise initiatives that support collaboration within a Region.

Additional guidance on the Regional Exercise Support Program to include the application process, as well as information on the HSEEP, is available on the HSEEP website, *http://hseep.dhs.gov*.

5. Homeland Security Preparedness Technical Assistance Program. The Homeland Security Preparedness Technical Assistance Program (HSPTAP) provides technical assistance on a first-come, first-served basis (and subject to the availability of funding) to eligible organizations to enhance their capacity and preparedness to respond to CBRNE terrorist incidents. In addition to the risk assessment assistance already being provided, FEMA also offers a variety of other technical assistance programs.

More information can be found at *http://www.fema.gov/government/grant/.*

6. Lessons Learned Information Sharing (LLIS) System. LLIS is a national, online, secure website that houses a collection of peer-validated lessons learned, best practices, AARs from exercises and actual incidents, and other relevant homeland security documents. LLIS facilitates improved preparedness nationwide by providing response professionals with access to a wealth of validated front-line expertise on effective planning, training, equipping, and operational practices for homeland security.

The LLIS website also includes a national directory of responders and homeland security officials, as well as an updated list of homeland security exercises, events, and conferences. Additionally, LLIS includes online collaboration tools, including secure email and message boards, where users can exchange information. LLIS uses strong encryption and active site monitoring to protect all information housed on the system. The LLIS website is *https://www.llis.gov*.

8. Information Sharing Systems. FEMA encourages all State, regional, local, and Tribal entities using FY 2008 SHSP funding in support of information sharing and

intelligence fusion and analysis centers to leverage available Federal information sharing systems, including Law Enforcement Online (LEO) and the Homeland Security Information Network (HSIN). For additional information on LEO, contact the LEO Program Office at leoprogramoffice@leo.gov or 202-324-8833. For additional information on HSIN and available technical assistance, contact the HSIN Help Desk at (703) 674-3003.