



GRANT PROGRAMS DIRECTORATE POLICY

- I. **TITLE:** Guidance to State Administrative Agencies (SAA) on the purchase of Energetic Materials using specific DHS/FEMA Preparedness Grant Funding
- II. **DATE OF ISSUANCE:** August 30, 2013
- III. **POLICY STATEMENT:** It is permissible for FEMA's Homeland Security Grant Program (HSGP) recipients to purchase explosive materials, hereafter referred to as "Energetic Materials," to train state and local bomb squads. The determination for making energetic materials an allowable training expense under HSGP was agreed upon extensive discussion and collaboration with the Inter Agency Board for Equipment Standardization and Interoperability (IAB), and the National Bomb Squad Commanders Advisory Board (NBSCAB).
- IV. **PURPOSE:** The purpose of this policy is to allow the purchase of energetic materials for training purposes in FEMA's Preparedness Grant programs from authorized vendors.
- V. **SCOPE AND EXTERNAL AUDIENCE:** This policy is addressed to all state administrative agency heads, state administrative agency points of contact, Urban Areas Security Initiative (UASI) points of contact, state homeland security directors, and state emergency management agency directors. This policy will most directly affect the Federal Bureau of Investigations (FBI) accredited bomb squads. These measures will apply to all open DHS/FEMA State Homeland Security Grant Program (SHSP) and Urban Areas Security Initiative (UASI) awards.
- VI. **AUTHORITY:** The purchase of energetic materials by State Administrative Agencies and funded through the FEMA HSGP program is governed by the following authorities, except where otherwise prohibited by law:
 - A. Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA), Pub. L. 109-295.
 - B. Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. 110-53.



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- C. GPD Information Bulletin #379, Guidance to State Administrative Agencies to Expedite the Expenditure of Certain DHS/FEMA Grant Funding, issued February 17, 2012.
- D. 44 Combined Federal Regulations (CFR)

VII. OBJECTIVES: The objective of this policy is to inform direct recipients of FEMA HSGP grant funding that the purchase of energetic materials for training purposes is an allowable training expense.

VIII. DEFINITIONS, ABBREVIATIONS, AND FORMATTING:

A. Abbreviations:

- 1) ATF: Bureau of Alcohol, Tobacco, Firearms and Explosives
- 2) CFR: Code of Federal Regulations
- 3) EHP: Environmental and Historic Preservation
- 4) FBI: Federal Bureau of Investigations
- 5) GPD: Grant Programs Directorate
- 6) HSGP: Homeland Security Grant Program
- 7) IAB: Interagency Board for Equipment Standardization and Interoperability
- 8) NBSCAB: National Bomb Squad commanders Advisory Board
- 9) OBP: Office of Bombing Prevention
- 10) PKEMRA: Post-Katrina Emergency Management Reform Act
- 11) SHSP: State Homeland Security Grant Program
- 12) UASI: Urban Areas Security Initiative

IX. POLICY DETAILS: FEMA's Homeland Security Grant Program (HSGP) recipients can purchase energetic materials to train state and local bomb squads. Any change to an investment or project, based on a request for energetic materials, must receive prior approval from FEMA. States will be required to submit a waiver on behalf of bomb squads in order to purchase energetic materials.



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Only FBI accredited bomb squads can acquire grant funded energetic materials. Bomb squads are responsible for the safe storage, inventory and handling of energetic materials in their possession. Use of energetic materials will be limited to training purposes, as well as use by certified bomb technicians assigned to accredited bomb squads.

Expanding the use of grant funds to purchase energetic materials is intended to enhance the capabilities of the bomb squads to maintain proficiencies through training and practical exercises in simulated training environments. Further, this change in policy is designed to support FBI accredited bomb squads in the core capabilities of Protection, Prevention and Response mission areas for homeland security preparedness funding.

Waiver Requests- States must submit a waiver request to purchase energetic materials for review through their GPD Program Analyst. Any requests made by subgrantees must be submitted through the SAA. Grantees must include the following information in their requests:

- A. Proof of FBI bomb squad accreditation by including a copy of the squad accreditation certificate provided by the FBI;
- B. Identify the state goals and objectives that the request for energetic materials supports.
- C. Applications for FEMA Grants for energetic material purchases must describe the location the materials will be stored, including both stationary and mobile magazines. Documentation must be included indicating that the explosives storage facilities where these materials will be kept, are in compliance with *Title 27 CFR Part 555 Subpart K-Storage, as stated in the National Guidelines for Bomb Technicians*, and must include verification of an inventory process. The application must also describe the locations, under the control of accredited bomb squads, where any training will be conducted. Additional training sites under the control of accredited bomb squads may be reviewed by FEMA GPD subsequent to the initial grant approval. Applicants will acknowledge that they understand and follow all Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) explosives guidelines including the provision for ATF to



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audit storage magazines and explosive accountability as well as the legal requirement to report any theft of explosives. Requests to use any non-ATF certified training sites will require Environmental and Historic Preservation (EHP) review.

- D. Applicants will not house materials in a vehicle unsupervised or overnight.
- E. Acknowledgement that grantees agree to follow all federal, state and local laws, rules and guidelines pertaining to explosives;
- F. Applicants must provide a date by which the materials will be expended or otherwise destroyed. This date must be within the period of performance of the grant being utilized for procurement;
- G. A list of energetic materials being requested. Examples of the types of energetic material eligible under this program include, but are not limited to:
 - 1) Sheet explosives, including Pentaerythritol Tetranitrate (PETN) and Research Department Explosive (RDX) based explosives
 - 2) Composition C-4 (C-4)
 - 3) Detonators
 - 4) Boosters
 - 5) Detonation Cord

The use of these energetic materials will be limited to training, and confirmation by the grantee that energetic materials obtained through FEMA Grant programs will be inventoried separately from other materials in the possession of the bomb squad, will be used for training only, and will not be transferred to any other entity/department, such as canine or tactical units.

X. ROLES & RESPONSIBILITIES:

- A. FEMA GPD and Regional staff are responsible for collaborating with the DHS Office of Bombing Prevention (OBP) in regards to processing waiver materials associated with the expansion in allowability.



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- XI. MONITORING AND EVALUATION:** Compliance with this policy will be verified during FEMA GPD desk reviews, site visits, and annual inspections performed by the ATF.

- XII. RESPONSIBLE OFFICE:** The Preparedness Grants Division within FEMA GPD is responsible for the implementation of Preparedness grant funding and content of this document.

- XIII. SUPERSESSSION:** This policy supersedes all previous guidance on this subject

- XIV. REVIEW DATE:** This policy will expire 3 years from the date of issuance in accordance with Directive 112-12.

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

Brian E. Kamoie
Assistant Administrator
Grant Programs Directorate