

Detection Equipment Eligible for Purchase with National Dam Safety Program Grants

Introduction

Under the National Dam Safety Program (NDSP) State Assistance (SA) grant, the purchase of technology supporting State dam safety programs is an allowable expense. Unmanned aerial systems, also known as drones or controlled equipment, are authorized for purchase using these grants. In this fact sheet, unmanned aerial systems are referred to as *detection equipment*.

The recipient is required to comply with Department of Homeland Security (DHS) and FEMA policies to ensure detection equipment meets allowable limits, approved manufacturers, conformity to record-keeping requirements, and is of minimal impact to general civil rights and liberties.

Applications will be submitted through the state's regional and HQ program office. All applications to purchase detection equipment will be reviewed by FEMA, the DHS Privacy Office, and the DHS Office for Civil Rights and Civil Liberties.

Applicable policies include:

- [FEMA Policy 207-22-0002](#), *Prohibited or Controlled Equipment Under FEMA Awards*, which outlines requirements for FEMA grant recipient and subrecipients who wish to submit a detection equipment purchase request to FEMA
- [DHS Policy Memo 119-08](#), *DHS Small Unmanned Aircraft Systems (sUAS) Cybersecurity Guidance*, which restricts DHS component procurement of drones to those that have been cleared by DHS Office of Chief Information Security Officer and includes Blank Purchase Agreement information for DHS component drone purchases
- DHS Acquisition Alert Memorandum 20-09 *Prohibition on Unauthorized Procurement of Small Unmanned Aircraft Systems*, which restricts procurement to drone models that have been cleared by the Department of Defense under their [Blue UAS program](#)



FEMA

Further information on national orders, statutes and policies shaping detection equipment purchase policies can be found in: [Executive Order 14074](#), *Executive Order on Advancing effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety*, Department of Homeland Security ([DHS](#)) [Information Bulletin 414](#): Civil Rights Review Process for Controlled Equipment Requests; [Pub. L. No. 115-232 \(2018\)](#); [Public Law 112-95, Section 331\(8\)](#)—unmanned aerial systems definition; public safety concerns in the [FAA Modernization and Reform Act of 2012](#); and civil rights and civil liberties protection in [Executive Order 03727 \(2015\)](#).

Requirements to submit to FEMA:

The following guidance outlines the requirements for detection equipment purchase, as specified in FEMA Policy 207-22-0002.

- 1. To purchase prohibited items with exceptions or controlled equipment, the recipient or subrecipient must:
 - Requirement and Justification
 - A. Submit to FEMA a description of how they expect to use the property
 - B. Demonstrate that the property will be tracked in an asset management system
 - C. Demonstrate a nexus to funding program priorities
 - Permission and Authority for Use
 - D. Provide evidence of approval or concurrence by the jurisdiction’s governing body for the acquisition of the prohibited item with an exception or controlled equipment. Certify they have adopted or will adopt the required policies and protocols
 - Application Process
 - F. Certify they will adhere to the after-action report requirement
 - G. Certify they will adhere to the records keeping requirements
 - H. Indicate whether the equipment will be used regionally
 - I. Disclose civil rights compliance information
 - J. Certify they will meet all training requirements in Section E
 - K. Certify they will abide by all applicable federal, state, local, and tribal laws, regulations, and programmatic terms and conditions; and

- L. Determine the specific certification or approval that may be required
- Disposition Plan
 - M. Document the disposition of equipment per 2 CFR 200.213
- 2. Policy and Protocol Requirement The recipient and subrecipient must have written policies and protocols that specifically govern the appropriate use of excepted or controlled equipment:
- 3. After-Action Report (AAR) Requirement Following a Significant Event. The recipient and subrecipient must collect and retain required information when a significant incident or event requires, or results in, the use of any excepted or controlled equipment purchased with FEMA grant funds.

NDSP SA Program-Specific Process

The models that have been cleared by DHS Chief of Information Security Office, as well as those cleared by the Department of Defense's Blue UAS program, are more likely to be considered allowable under current policy.

VENDORS AND MODELS APPROVED BY DHS CISO:

- Atlantic Diving Supply, Model: SKYDIO X2 Autonomous Drone
- TEAL Drones, Model: Golden Eagle (Teal)
- Teledyne FLIR (Altavian)
- Vantage Robotics, Model: VESPER (Vantage)
- W. S. Darley & Co., Model: Parrot ANAFI USA

DOD-CLEARED UAS

DoD-cleared UAS vendors and models can be found on their [Blue UAS website](#) and are updated periodically.