## The Department of Homeland Security (DHS)

## Notice of Funding Opportunity (NOFO)

## Fiscal Year 2025 Transit Security Grant Program

Fraud, waste, abuse, mismanagement, and other criminal or noncriminal misconduct related to this program may be reported to the Office of Inspector General (OIG) Hotline. The toll-free numbers to call are 1 (800) 323-8603 and TTY 1 (844) 889-4357.

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## 1. Basic Information

	1. Basic Information			
A. Agency Name	U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA)			
<b>B.</b> NOFO Title	Fiscal Year 2025 Transit Security Grant Program			
C. Announcement Type	Initial			
<b>D.</b> Funding Opportunity Number	DHS-25-GPD-075-00-99			
<b>E.</b> Assistance Listing Number	97.075			
<b>F.</b> Expected Total Funding	\$83,700,000			
<b>G.</b> Anticipated Number of Awards	25 awards			
H. Expected Award Range	\$348,373-\$33,898,500			
I. Projected Application Start Date	08/01/2025 12:00 p.m. Eastern Time (ET)			
J. Projected Application End Date	08/15/2025 5:00 p.m. Eastern Time (ET)			
<b>K.</b> Anticipated Funding Selection Date	No later than August 23, 2025			
L. Anticipated Award Date	No later than September 30, 2025			
M. Projected Period of Performance Start Date	09/01/2025			
N. Projected Period	08/31/2028 or 08/31/2029*			
of Performance End Date	*The period of performance for capital infrastructure projects is 48 months. The period of performance for all other projects is 36 months.			
O. Executive Summary	The TSGP provides funds to public transit agencies to protect critical surface transportation infrastructure and the traveling public from acts of terrorism.			
P. Agency Contact	<b>a.</b> <i>Program Office Contact</i> FEMA has assigned region-specific Preparedness Officers for the TSGP. If you do not know your Preparedness Officer, please contact FEMA Grants News, who can be reached by e-mail at <a href="fema-grants-news@fema.dhs.gov">fema.dhs.gov</a> OR by phone at (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET.			

#### b. FEMA Grants News

This channel provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. FEMA Grants News Team is reachable at <a href="fema-grants-news@fema.dhs.gov">fema.dhs.gov</a>. OR (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET.

## c. Grant Programs Directorate (GPD) Award Administration Division

GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. AAD can be contacted at <u>ASK-GMD@fema.dhs.gov.</u>

#### d. FEMA Regional Offices

FEMA Regional Offices also may provide fiscal support, including pre- and post-award administration and technical assistance. FEMA Regional Office contact information is available at <a href="https://www.fema.gov/fema-regional-contacts">https://www.fema.gov/fema-regional-contacts</a>.

#### e. Civil Rights

Consistent with Executive Order 14173, Ending Illegal Discrimination & Restoring Merit-Based Opportunity, the FEMA Office of Civil Rights is responsible for ensuring compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA. They are reachable at FEMA-CivilRightsOffice@fema.dhs.gov.

## f. Environmental Planning and Historic Preservation

The FEMA Office of Environmental Planning and Historic Preservation (OEHP) provides guidance and information about the EHP review process to FEMA programs and recipients and subrecipients. Send any inquiries regarding compliance for FEMA grant projects under this NOFO to <a href="FEMA-OEHP-NOFOQuestions@fema.dhs.gov">FEMA-OEHP-NOFOQuestions@fema.dhs.gov</a>.

## g. FEMA GO

For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at <a href="mago@fema.dhs.gov">femago@fema.dhs.gov</a>. or (877) 585-3242, Monday through Friday, 9:00 AM – 6:00 PM ET.

#### h. FEMA Preparedness Toolkit

The <u>FEMA Preparedness Toolkit</u> (PrepToolkit) provides access to tools and resources needed to implement the National Preparedness System and provide a collaborative space for communities completing the Unified Reporting Tool (URT). Recipients complete and submit their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR), and other required

assessments using the PrepToolkit. For assistance, contact support@preptoolkit.fema.dhs.gov.

## i. Preparedness Grants Manual

Recipients seeking guidance on policies and procedures for managing preparedness grants should reference the Preparedness Grants Manual at <u>Preparedness Grants Manual</u>.

### 2. Eligibility

# **A.** Eligible Entities/Entity Types

Only the following entities or entity types are eligible to apply:

## a. Applicants

1. Eligible Applicants

Eligible applicants are limited to the passenger rail, intra-city bus, and ferry systems identified in the table below. Eligibility does not guarantee grant funding. See <u>Appendix A: FY 2025 TSGP Target Allocations</u> for additional information.

## 2. Applicant Eligibility Criteria

Only eligible applicants identified in Appendix A may apply for TSGP funding. Applicants will apply for the funding amount specified in Appendix A. Funding designated for eligible applicants who fail to apply will be distributed among those applicants who apply by the application deadline. Funding may only be used for eligible projects outlined in this NOFO.

Agencies eligible for the Fiscal Year (FY) 2025 TSGP are determined based upon daily unlinked passenger trips (ridership) and transit systems that serve historically eligible Urban Area Security Initiative (UASI) urban areas as indicated below.

Funding designated for eligible applicants who fail to apply by the application deadline may be distributed to other eligible applicants who apply by the application deadline.

Certain ferry systems are eligible to participate in the FY 2025 TSGP and receive funds under this program. However, any ferry system electing to participate (e.g., submit an application) under the FY 2025 TSGP will not be eligible to participate (e.g., submit an application) under the FY 2025 Port Security Grant Program (PSGP) and will not be considered for funding under the FY 2025 PSGP. Likewise, any ferry system that participates in the FY 2025 PSGP will not be eligible for funding under the TSGP.

Sections 1405 (6 U.S.C. § 1134) and 1406 (6 U.S.C. § 1135) of the *Implementing Recommendations of the 9/11 Commission Act of 2007* require that high risk public transportation agencies that receive grant funding develop a security plan based on a security assessment. Additionally, the statutes direct that grant funds be used to address items in the security assessment or the security plan. To be eligible for the FY 2025 TSGP, transit agencies must have developed or updated their security plan. The security plan must be based on a security assessment, such as the Baseline Assessment for Security Enhancement (BASE), which is performed by the Transportation Security Surface Inspectors of the Transportation Security Administration (TSA). This security assessment must have been conducted within the three years prior to receiving a FY 2025 TSGP award. A copy of the security plan and security assessment must be provided to DHS/FEMA upon request. Please see the Preparedness Grants Manual for more information on security plan requirements.

Entities providing transit security (e.g., city/county police departments, public transportation agencies' police departments) for a public transportation agency must approve the security plan. The signature of a responsible official from the agency's transit security provider serves as this approval. If there is more than one provider in the core service area, all transit security providers must review and concur with the plan. Associated documentation of this approval must be provided to DHS/FEMA upon request. In addition, agencies' transit security providers are encouraged to review the Investment Justifications (IJs) prior to submission.

Each public transportation agency receiving funds through this program must also participate in a Regional Transit Security Working Group (RTSWG) or develop a RTSWG if one does not already exist. The RTSWG should serve as the forum for regional partners to discuss risk, planning efforts, and mitigation strategies. These discussions should be held regardless of funding to continue enhancing the overall security of the region. Regional working groups are a best practice for enhancing security and are encouraged for all jurisdictions.

## b. Subapplicants

Subapplicants and subawards are not allowed.

c. All Recipients – Compliance with Federal Immigration Laws
An immigration term and condition may be material to the
Department of Homeland Security's decision to make this grant
award, and the Department of Homeland Security may take any
remedy for noncompliance, including termination, if the state or
territorial recipient or any local government subrecipient fails to

	comply with this term and condition. No final agency determination has been made as of the date of this publication.		
<b>B.</b> Project Type Eligibility	<b>a.</b> <i>Unallowable Project Types</i> See Section 3.F "Program-Specific Unallowable Costs" for more information on unallowable project types.		
	<b>b.</b> <i>Allowable Project Types</i> Costs generally need to fit within one of the categories listed below to be allowable under this program.		
	Specific investments made in support of the NOFO funding priorities generally fall into one of the following allowable cost categories:		
	<ul> <li>Planning</li> <li>Operational Activities</li> <li>Equipment and Capital Projects</li> <li>Training and Awareness Campaigns</li> <li>Exercises</li> </ul>		
	Please see Appendix B: Allowable Costs for more information on allowable costs.		
	Applicants who have questions about whether a cost is allowable under this program should contact their Preparedness Officer.		
C. Requirements for Personnel, Partners, and Other Parties	rtners, (i.e., the applicant) may be deemed ineligible when the person that		
	Further, the Authorized Organization Representative (AOR) and Signatory Authority (SA) must be a duly authorized current employee, personnel, official, staff or leadership of the recipient. They must provide an email address unique to the recipient at the time of application and upon any change in assignment during the period of performance. Consultants or contractors of the recipient are not permitted to be the AOR or SA of the recipient. It is the sole responsibility of the recipient to keep their points of contact for the organization up-to-date and accurate in all federal systems.		
D. Maximum Number of Applications	The maximum number of applications that can be submitted is:  1. One per eligible Transit Agency		

E. Additional Restrictions	a. National Incident Management System (NIMS) Implementation Prior to allocation of any federal preparedness awards, recipients must ensure and maintain adoption and implementation of NIMS. The list of objectives used for progress and achievement reporting is on FEMA's website at <a href="https://www.fema.gov/emergency-managers/nims/implementation-training">https://www.fema.gov/emergency-managers/nims/implementation-training</a> .  Please see the <a href="Preparedness Grants Manual">Preparedness Grants Manual</a> for more information on NIMS.	
F. References for Eligibility Factors within the NOFO	Please see the following references provided below:  1. "Programmatic Review Criteria" subsection 2. "Financial Integrity Criteria" subsection 3. "Supplemental Financial Integrity Criteria and Review" subsection 4. FEMA may/will request financial information, such as Employer Identification Number (EIN) and bank information as part of the potential award selection. This will apply to everyone prospered, including subrecipients.	
G. Cost Sharing Requirement	There is no cost share requirement. Additionally, any voluntary cost share or match will not impact an application's potential for funding.	
H. Cost Share Description, Type and Restrictions	Not applicable.	
I. Cost Sharing Calculation Example	Not applicable.	
J. Required information for verifying Cost Share	Not applicable.	

#### 3. Program Description

## A. Background, Program Purpose, and Program History

The Transit Security Grant Program (TSGP) is one of four grant programs that constitute DHS/FEMA's focus on transportation infrastructure security activities. These grant programs are part of a comprehensive set of measures authorized by Congress and implemented by DHS to help strengthen the nation's critical infrastructure against risks associated with potential terrorist attacks. The TSGP provides funds to public transit agencies to protect critical surface transportation infrastructure and the traveling public from acts of terrorism. Examples of recent TSGP accomplishments include agencies increasing their mass notification and critical incident management system, thereby enabling more quick and effective emergency alerts and sharing of critical information via multiple channels (e.g., text message, email, voice, desktop, social media, etc.). Other examples of TSGP accomplishments include organizations providing surge support

(law enforcement personnel) for special events (e.g., Super Bowl, concerts, etc.), as well as tunnel hardening.

DHS is focused on the criticality of information sharing and collaboration in building a national mindset of preparedness and protecting against terrorism and other threats to our national security. DHS and its homeland security mission were born from the "failures among federal agencies and between the federal agencies and state and local authorities to share critical information related to the threat of terrorism" prior to the September 11, 2001, attacks. However, the threat profile has changed in the past two decades. We now face continuous cyberattacks by sophisticated actors, as well as ongoing threats to soft targets and crowded places, such as public transportation. The TSGP reflects DHS's commitment to risk-informed investment, collaboration, and resilience. To ensure that priorities reflect the current threat environment, FEMA's Preparedness Grant Programs are guided by annually designated National Priority Areas (NPAs). The FY 2025 NPAs are:

- a. Enhancing the protection of soft targets and crowded places,
  - i. This includes faith-based organizations and election sites;
- b. Supporting Homeland Security Task Forces and fusion centers;
- c. Enhancing and integrating cybersecurity resiliency;
- d. Enhancing election security; and
- e. Border Crisis Response and Enforcement Support.
  - i. Example activities under border crisis response and enforcement support may include:
    - 1. Participation in the Department of Homeland Security/Immigration and Customs Enforcement 287(g) training program;
    - 2. Cooperation with Immigration and Customs Enforcement detainers; and
    - 3. Other jurisdictional responsibilities to support the enforcement of United States immigration law.

For FY 2025, the Administration encourages applicants to propose innovative solutions that support the broader homeland security mission reflected in the NPAs, as applicable. Applicants must clearly demonstrate how their proposed projects address an NPA and how they align with the stated purpose and objectives of this NOFO.

For FY 2024, 42 applications were received and 17 were approved for funding. For a full list of recipients, please refer to <u>Information Bulletin (IB) 517a</u>.

## **B.** Goals, Objectives, and Priorities

<u>Goals</u>: Protecting critical transportation infrastructure and the traveling public from acts of terrorism and increasing the resilience of the transportation infrastructure itself.

Objectives: TSGP achieves this through the following objectives:

- 1. Building and sustaining core capabilities (identified in the <u>National Preparedness Goal</u>) relevant to transit security and annual NPAs (see priorities below);
- 2. Addressing and closing gaps identified in transit agency vulnerability assessments and the agency's Public Transportation Risk Assessment Methodology (PT-RAM); and

3. Continuously engaging in a process of emergency related planning, exercising, and training, and using this cycle to test plans, validate capabilities, identify gaps, inform investments, and continuously update plans to reflect organizational changes, as well as findings from exercises and real-world events.

<u>Priorities</u>: Given the evolving threat landscape, DHS/FEMA continuously evaluate the national risk profile and set priorities that help ensure appropriate allocation of scarce security dollars. The FY 2025 NPAs reflect FEMA's broader mission across all preparedness efforts. Applicants should be familiar with these NPAs, as they represent DHS's current focus areas and may shape future guidance:

- a. Enhancing the protection of soft targets and crowded places,
  - i. This includes faith-based organizations and election sites;
- b. Supporting Homeland Security Task Forces and fusion centers;
- c. Enhancing and integrating cybersecurity resiliency;
- d. Enhancing election security; and
- e. Border Crisis Response and Enforcement Support.
  - ii. Example activities under border crisis response and enforcement support may include:
    - 1. Participation in the Department of Homeland Security/Immigration and Customs Enforcement 287(g) training program;
    - 2. Cooperation with Immigration and Customs Enforcement detainers; and
    - 3. Other jurisdictional responsibilities to support the enforcement of United States immigration law.

#### Enduring needs include:

- Effective planning
- Training and awareness campaigns
- Equipment and capital projects
- Exercises

The table below provides a breakdown of the NPAs and core capabilities impacted, as well as examples of eligible project types for each area. More information on allowable investments can be found in the Funding Restrictions and Allowable Costs section below.

FY 2025 TSGP Funding Priorities

All priorities in this table concern the Safety and Security and Transportation Lifelines.

<b>Priority Areas</b>	Core Capabilities	Example Project Types	
National Prioriti	es		
Enhancing the Protection of Soft Targets and Crowded Places	<ul> <li>Operational coordination</li> <li>Public information and warning</li> <li>Intelligence and Information Sharing</li> <li>Interdiction and disruption</li> <li>Screening, search, and detection</li> <li>Access control and identity verification</li> <li>Physical protective measures</li> <li>Risk management for protection programs and activities</li> </ul>	<ul> <li>Physical security enhancements at rail and bus stations located in Urban Area Security Initiative urban areas         <ul> <li>Security cameras (closed circuit television)</li> <li>Security screening equipment and technology for people and baggage</li> <li>Access controls: Fencing, gates, barriers, etc.</li> </ul> </li> <li>Use of visible, unpredictable deterrence, to include Operational Packages         <ul> <li>Explosive detection canine teams</li> <li>Mobile Screening Teams</li> <li>Anti-terrorism Teams</li> <li>Directed/Surge Patrols on Overtime.</li> </ul> </li> </ul>	
Supporting Homeland Security Task Forces and Fusion Centers	<ul> <li>Intelligence and information sharing</li> <li>Interdiction and disruption</li> <li>Public information and warning</li> <li>Operational coordination</li> <li>Risk management for protection programs and activities</li> </ul>	<ul> <li>Establishing or enhancing multi-agency         Homeland Security Task Forces (HSTFs),         including operational coordination centers</li> <li>Enhancing capabilities and integration with local         fusion centers</li> <li>Procurement of technology or equipment to         support surveillance, communications, and data         analysis</li> <li>Development of standard operating procedures         for information sharing, joint operations, and         immigration enforcement coordination</li> <li>Personnel training, credentialing, and certification         to improve interoperability and mission alignment</li> <li>Intelligence analysis, reporting, and suspicious         activity monitoring</li> <li>Exercises and simulations focused on joint         operations, intelligence sharing, or         interdiction/disruption of criminal or smuggling         networks</li> <li>Community engagement efforts to foster trust and         encourage threat reporting</li> <li>Information sharing with all DHS components;         fusion centers; other operational, investigative,         and analytic entities; and other federal law         enforcement and intelligence entities</li> <li>Cooperation with DHS and other entities in         intelligence, threat recognition, assessment,         analysis, and mitigation</li> <li>Identification, assessment, and reporting of         threats of violence</li> <li>Intelligence analysis training, planning, and         exercises</li> </ul>	

<b>Priority Areas</b>	Core Capabilities	Example Project Types
		Coordinating the intake, triage, analysis, and reporting of tips/ leads and suspicious activity, to include coordination with the Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI)
Enhancing Cybersecurity	<ul> <li>Cybersecurity</li> <li>Intelligence and information sharing</li> <li>Planning</li> <li>Public information and warning</li> <li>Operational coordination</li> <li>Screening, search, and detection</li> <li>Access control and identity verification</li> <li>Supply chain integrity and security</li> <li>Risk management for protection programs and activities</li> <li>Long-term vulnerability reduction</li> <li>Situational assessment</li> <li>Infrastructure systems</li> <li>Operational communications</li> </ul>	Cybersecurity risk assessments     Projects that address vulnerabilities identified in cybersecurity risk assessments     Improving cybersecurity of, to meet minimum levels identified by Cybersecurity and Infrastructure Security Agency, and the National Institute of Standards and Technology Cybersecurity Framework (Version 1.1) or equivalent     Adoption of cybersecurity performance goals (CISA's Cross-Sector Cybersecurity Performance Goals)     Cybersecurity training and planning
Enhancing Election Security	<ul> <li>Cybersecurity</li> <li>Intelligence and information sharing</li> <li>Planning</li> <li>Long-term vulnerability reduction</li> <li>Situational assessment</li> <li>Infrastructure systems</li> <li>Operational coordination</li> <li>Community resilience</li> </ul>	<ul> <li>Prioritize compliance with the VVSG 2.0 established by the U.S. Election Assistance Commission</li> <li>Complete testing through a VSTL accredited by the U.S. Election Assistance Commission</li> <li>Physical security planning and exercise support</li> <li>Physical/site security measures – e.g., locks, shatter proof glass, alarms, access controls, etc.</li> <li>General election security navigator support</li> <li>Cyber and general election security navigator support</li> <li>Cybersecurity risk assessments, training, and planning</li> <li>Projects that address vulnerabilities identified in cybersecurity risk assessments</li> <li>Iterative backups, encrypted backups, network segmentation, software to monitor/scan, and endpoint protection</li> <li>Distributed Denial of Service protection</li> <li>Migrating online services to the ".gov" internet domain</li> <li>Online harassment and targeting prevention services</li> <li>Public awareness/preparedness campaigns discussing election security and integrity measures</li> <li>Long-term vulnerability reduction and community resilience</li> </ul>

Priority Areas	Core Capabilities	Example Project Types
Supporting Border Crisis Response and Enforcement	<ul> <li>Training and awareness</li> <li>Community resilience</li> <li>Operational coordination</li> <li>Risk management for protection programs and activities</li> </ul>	<ul> <li>Staffing support to expand 287(g) screening operations within correctional facilities</li> <li>Operational overtime costs directly tied to 287(g) screening, processing, and enforcement activities</li> <li>Training programs for state and local law enforcement officers in immigration law, civil rights protections, and 287(g) procedures</li> <li>Development or enhancement of information-sharing platforms between ICE and local agencies</li> <li>Procurement of screening, detection, and communications technology to support immigration enforcement activities</li> <li>Establishing secure and dedicated communication networks with ICE Field Offices</li> <li>Conducting joint training exercises with ICE and local law enforcement to test operational coordination</li> <li>Support for facilities upgrades, such as creating dedicated interview rooms and secure processing spaces</li> <li>Community engagement and public briefings to promote transparency and understanding of 287(g) operations and protections</li> </ul>
<b>Enduring Needs</b>		207(g) operations and protections
Planning	<ul> <li>Planning</li> <li>Risk management for protection programs and activities</li> <li>Risk and disaster resilience assessment</li> <li>Threats and hazards identification</li> <li>Operational coordination</li> <li>Community resilience</li> </ul>	Development of:
Training and Awareness	<ul> <li>Long-term vulnerability reduction</li> <li>Public information and warning</li> <li>Operational coordination</li> <li>Situational assessment</li> <li>Community resilience</li> </ul>	<ul> <li>Active shooter training, including integrating the needs of persons with disabilities</li> <li>Security training for employees, to include Basic security awareness</li> <li>Public awareness/preparedness campaigns</li> </ul>
Equipment and Capital Projects	<ul> <li>Long-term vulnerability reduction</li> <li>Infrastructure systems</li> <li>Operational communications</li> <li>Interdiction and disruption</li> <li>Screening, search, and detection</li> <li>Access control and identity verification</li> <li>Physical protective measures</li> <li>Supply chain integrity and security</li> <li>Threats and hazards identification</li> <li>Infrastructure systems</li> <li>Intelligence and information sharing</li> </ul>	<ul> <li>Top Transit Asset List risk remediation</li> <li>Protection of other high-risk, high-consequence areas or systems that have been identified through system-wide risk assessments</li> <li>Sharing and leveraging intelligence and information</li> <li>Chemical, Biological, Radiological, Nuclear, and Explosive prevention, detection response and recovery equipment</li> <li>Unmanned Aircraft Systems and detection technologies</li> </ul>
Exercises	Long-term vulnerability reduction	Response exercises

Priority Areas	Core Capabilities	Example Project Types
	Operational coordination	
	<ul> <li>Operational communications</li> </ul>	
	Community resilience	

#### C. Program Rationale

The stated goals, objectives, and priorities of TSGP support Section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Pub. L. No. 110-53) (6 U.S.C. § 1135) by protecting critical transportation infrastructure and the traveling public from acts of terrorism through the application of TSGP funding.

## D. Federal Assistance Type

Grant

#### E. Performance Measures and Targets

Performance metrics for this program are as follows:

- 1. Performance Measure Name 1: Cybersecurity vulnerabilities reduced at "X" TSGP funded Transit Agency's
- 2. Performance Measure Name 2: Number of Dedicated Surge Force Hours.
- 3. Performance Measure Name 3: Number of Security Exercises conducted.
- 4. Performance Measure Name 4: Number of Security Personnel trained.
- 5. Performance Measure Name 5: Number of Physical Security Hardening improvements completed.

#### F. Program-Specific Unallowable Costs

Specific unallowable costs for the TSGP include:

- Personnel costs (except as detailed above);
- Activities unrelated to the completion and implementation of the TSGP; and
- Other items not in accordance with the AEL or not previously listed as allowable costs.

#### **G.** General Funding Requirements

Costs charged to federal awards (including federal and non-federal cost share funds) must comply with applicable statutes, rules and regulations, policies, this NOFO, the <u>Preparedness Grants Manual</u>, and the terms and conditions of the federal award. This includes, among other requirements, that costs must be incurred, and products and services must be delivered within the budget period. See 2 C.F.R. § 200.403(h).

Recipients may not use federal funds or any cost share funds for the following activities:

- 1. Matching or cost sharing requirements for other federal grants and cooperative agreements (see <u>2 C.F.R. § 200.306</u>).
- 2. Lobbying or other prohibited activities under 18 U.S.C. § 1913 or 2 C.F.R. § 200.450.
- 3. Prosecuting claims against the federal government or any other government entity (see 2 C.F.R. § 200.435).

See the <u>Preparedness Grants Manual</u> for more information on funding restrictions and allowable costs.

H. Indirect Costs (Facilities and Administrative Costs)

Indirect costs are allowed for recipients of the TSGP.

Indirect costs (IDC) are costs incurred for a common or joint purpose benefitting more than one cost objective and not readily assignable to specific cost objectives without disproportionate effort. Applicants with a current negotiated IDC rate agreement who desire to charge indirect costs to a federal award must provide a copy of their IDC rate agreement with their applications. Not all applicants are required to have a current negotiated IDC rate agreement. Applicants that are not required to have a negotiated IDC rate agreement, but are required to develop an IDC rate proposal, must provide a copy of their proposal with their applications. Applicants without a current negotiated IDC rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to FEMA for further instructions. Applicants who wish to use a cost allocation plan in lieu of an IDC rate proposal must reach out to FEMA for further instructions. As it relates to the IDC for subrecipients, a recipient must follow the requirements of 2 C.F.R. §§ 200.332 and 200.414 in approving the IDC rate for subawards. See the Preparedness Grants Manual for information on establishing indirect cost rates.

#### I. Management and Administration (M&A) Costs

M&A costs are allowed by the Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4. Recipients may use up to 5% of the amount of the award for their M&A and subrecipients may use up to 5% of the amount of they receive for M&A. M&A activities are those defined as directly relating to the management and administration of TSGP funds, such as financial management and monitoring. M&A expenses must be based on actual expenses or known contractual costs. Requests that are simple percentages of the award, without supporting justification, will not be allowed, or considered for reimbursement. M&A costs are not operational costs but are necessary costs incurred in direct support of the federal award or as a consequence of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct support of the program. As such, M&A costs can be itemized in financial reports. Other M&A cost examples include preparing and submitting required programmatic and financial reports, establishing and/or maintaining equipment inventory, documenting operational and equipment expenditures for financial accounting purposes, responding to official informational requests from state and federal oversight authorities, and grant performance measurement or evaluation activities. If an applicant uses an outside consultant or contractor to provide pre-award grant writing services or post-award grant management services, additional considerations and restrictions shall apply as detailed below.

Additionally, funds may be used in the hiring of full-time or part-time staff, including contractors and consultants, to execute the following:

- Management of the current fiscal year award;
- Design and implementation of the current fiscal year submission meeting compliance with reporting/data collection requirements, including data calls;

- Information collection and processing necessary to respond to FEMA data calls;
- Travel expenses (domestic travel only) related to grant administration, in compliance with 2 C.F.R. Part 200; and
- Acquisition of authorized office equipment, including personal computers or laptops for M&A purposes

#### J. Pre-Award Costs

Pre-award costs are not allowed and will not be approved, with the exception of costs resulting from pre-award grant writing services provided by an independent contractor that shall not exceed \$1,500 per applicant, per award.

## K. Beneficiary Eligibility

There are no program requirements. See <u>Section 2</u> for additional information on eligibility. This NOFO and any subsequent federal awards create no rights or causes of action for any beneficiary.

## L. Participant Eligibility

There are no program requirements. This NOFO and any subsequent federal awards create no rights or causes of action for any participant.

## M. Authorizing Authority

Section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Pub. L. No. 110-53) (6 U.S.C. § 1135)

#### **N.** Appropriation Authority

Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. No. 119-4, § 1101.

#### O. Budget Period

There will be only a single budget period with the same start and end dates as the period of performance.

## P. Prohibition on Covered Equipment or Services

See the <u>Preparedness Grants Manual</u> for information on prohibitions on expending funds on covered telecommunications and surveillance equipment and services.

#### 4. Application Contents and Format

## A. Pre-Application, Letter of Intent, and Whitepapers

The TSGP does not require the review of pre-applications, letters of intent, or whitepapers. Applicants are encouraged to pre-socialize projects with their RTSWGs.

#### **B.** Application Content and Format

The TSGP Investment Justification and Detailed Budget Worksheet are required to be completed in full and uploaded within FEMA GO at the time of application submission to be considered for funding. Applicants who fail to complete the "Eligibility" section of this form or fail to attach the forms in FEMA GO will not be considered for funding.

### C. Application Components

The following forms or information are required to be submitted via FEMA GO. The Standard Forms (SF) are also available at <u>Forms | Grants.gov</u>.

- SF-424, Application for Federal Assistance
- Grants.gov Lobbying Form, Certification Regarding Lobbying
- SF-424A, Budget Information (Non-Construction)
  - o For construction under an award, submit SF-424C, Budget Information (Construction), in addition to or instead of SF-424A
- SF-424B, Standard Assurances (Non-Construction)
  - o For construction under an award, submit SF-424D, Standard Assurances (Construction), in addition to or instead of SF-424B
- SF-LLL, Disclosure of Lobbying Activities

#### **D.** Program-Specific Required Documents and Information

The following program-specific forms or information are required to be submitted in FEMA GO:

- IJs:
- Detailed Budget(s); and
- Five-Year Security Capital and Operational Sustainment Plan, if applying for Operational Packages (OPacks).

All applicants will submit their TSGP grant application for their allocated award within <u>FEMA</u> <u>GO</u> prior to the application deadline.

#### a. Priority Investments

The FY 2025 TSGP aligns with the Administration's priorities by directing resources toward the most urgent threats facing the Nation. TSGP supports the development and sustainment of core capabilities essential to achieving the National Preparedness Goal (NPG): "A secure and resilient Nation."

To ensure strategic focus, DHS has identified five NPAs that reflect the evolving risk landscape and national policy objectives. These priorities serve as a framework for targeting investments that build capability, reduce risk, and promote cross-sector coordination.

#### The FY 2025 NPAs are:

- a. Enhancing the protection of soft targets and crowded places,
  - i. This includes faith-based organizations and election sites;
- b. Supporting Homeland Security Task Forces and fusion centers;
- c. Enhancing and integrating cybersecurity resiliency;
- d. Enhancing election security; and

- e. Border Crisis Response and Enforcement Support.
  - ii. Example activities under border crisis response and enforcement support may include:
    - 1. Participation in the Department of Homeland Security/Immigration and Customs Enforcement 287(g) training program;
    - 2. Cooperation with Immigration and Customs Enforcement detainers; and
    - 3. Other jurisdictional responsibilities to support the enforcement of United States immigration law.

These NPAs are rooted in the core mission areas of the NPG—prevention, protection, mitigation, response, and recovery—and reflect a whole-of-government approach to homeland security. Applicants should use these priorities to guide planning, investment, and implementation to drive measurable outcomes and long-term resilience.

### b. Additional Information

1. Soft Targets and Crowded Places

Soft targets and crowded places are increasingly appealing to terrorists and other violent extremist actors because of their relative accessibility and the large number of potential targets. This challenge is complicated by the prevalent use of simple tactics and less sophisticated attacks. Segments of our society are inherently open to the general public, and by nature of their purpose do not incorporate strict security measures. Given the increased emphasis by terrorists and other violent extremist actors to leverage less sophisticated methods to inflict harm in public areas, it is vital that the public and private sectors collaborate to enhance security of locations such as rolling stock, transportation centers, passenger stations, and similar infrastructure. Additional resources and information regarding securing soft targets and crowded places are available through the Cybersecurity and Infrastructure Security Agency.

#### 2. Supporting Homeland Security Task Forces and Fusion Centers

This priority supports the Administration's direction under Executive Order 14159, *Protecting the American People Against Invasion*, which calls for the establishment of Homeland Security Task Forces (HSTFs) nationwide. These multi-agency teams—composed of federal and local law enforcement partners—are tasked with disrupting and dismantling transnational criminal organizations, targeting cross-border human smuggling and trafficking networks (especially those involving children), and using all appropriate law enforcement tools to support lawful immigration enforcement.

Activities under this NPA also enhance broader national efforts in:

- Counterterrorism
- Cybersecurity
- Border security
- Immigration enforcement
- Transnational organized crime
- Protection of economic and critical infrastructure

3. Cybersecurity

Cybersecurity investments must support the security and functioning of critical port infrastructure and core capabilities as they relate to achieving target capabilities related to preventing, preparing for, protecting against, or responding to acts of terrorism at maritime infrastructure facilities. Additional resources and information regarding cybersecurity and cybersecurity performance goals are available through the <a href="Cybersecurity and Infrastructure Security Agency">Cybersecurity Agency</a>, <a href="Cross-Sector Cybersecurity Performance Goals">Cybersecurity Performance Goals</a>, and the <a href="National Institute of Standards">National Institute of Standards</a> and <a href="Technology">Technology</a>.

#### 4. Election Security

In January 2017, DHS designated the infrastructure used to administer the Nation's elections as critical infrastructure. This designation recognizes that the United States' election infrastructure is of such vital importance to the American way of life that its incapacitation or destruction would have a devastating effect on the country. Additionally, the Homeland Threat Assessment 2024 indicates that electoral processes remain an attractive target for many adversaries.

Securing election infrastructure, ensuring its continued operation in the face of threats and harassment, advancing the safety of election officials, and protecting against foreign interference are national security priorities. Because threats to election systems are constantly evolving, defending these systems requires constant vigilance, innovation, and adaptation. By integrating the directives of Executive Order 14248, *Preserving and Protecting the Integrity of American Elections*, into the Election Security NPA, recipients can ensure that their efforts contribute to a secure, transparent, and resilient electoral process, thereby reinforcing public trust and the integrity of democratic institutions.

#### 5. Supporting Border Crisis Response and Enforcement

State and local law enforcement agencies are essential partners in safeguarding national security and public safety. Pursuant to Executive Order 14159, *Protecting the American People Against Invasion*, it is the policy of the United States to enforce immigration laws against all inadmissible and removable aliens—particularly those who threaten the safety or security of the American people. This includes the efficient execution of these laws through lawful in incentives and enhanced detention capabilities.

This NPA supports efforts that align with this policy and promote cooperation between local and federal partners. Projects may include, but are not limited to:

- Participation in the DHS/ICE 287(g) program, allowing trained local officers to support ICE with immigration enforcement;
- Cooperation with ICE detainers and other jurisdictional responsibilities related to immigration enforcement; and
- Supportive activities such as officer training, technology, and information sharing, operational support, and community engagement.

#### a. Investment Justification (IJ)

As part of the FY 2025 TSGP application process, applicants must develop a formal IJ that addresses each initiative being proposed for funding, including a project's management and administration (M&A) costs. An agency may submit up to eight IJs. Agencies may also submit up to five additional IJs for projects related to law enforcement providers that are not part of the public transportation agency. Law enforcement providers may only submit projects that support a transit system's operational security capability and capacity. IJs must demonstrate how proposed projects address gaps and deficiencies (identified in a current vulnerability assessment) and must link to one or more core capabilities identified in the National Preparedness Goal. Please see grants.gov for the IJ template.

Applicants may attach the vulnerability assessment or cite relevant sections/passages within an IJ to demonstrate the linkage between the project request and the identified vulnerability. IJs should also describe an agency's current security posture to demonstrate why the proposed project is necessary and appropriate. IJs must demonstrate the ability to provide enhancements consistent with the purpose of the program and guidance provided by DHS/FEMA. Applicants shall submit a separate IJ for each proposed project. TSGP projects must be both 1) feasible and effective at reducing the risks for which the project was designed; and 2) able to be fully completed within the period of performance. Applicants must ensure that IJs are consistent with all requirements outlined in this funding notice. Applicants must provide information in the following categories for each proposed investment:

- 1. Background
- 2. Strategic and Program Priorities
- 3. Impact
- 4. Funding/Implementation Plan

Applicants must use the following file naming convention when submitting the IJs as part of the FY 2025 TSGP:

Region Agency Name IJ Number (Example: Chicago CTA IJ 1)

#### b. Operational Packages (OPacks)

Applicants that meet basic OPack eligibility requirements may elect to pursue OPack funding for Canine Teams, Mobile Explosives Detection Screening Teams, and Anti-Terrorism Teams, for new capabilities as well as to sustain existing OPacks. Applicants pursuing both new OPacks and sustainment funding for existing OPacks must indicate in their IJs which option is the higher priority for their agency. Additionally, applicants pursuing either new teams or sustainment of existing teams must include the number of OPack teams already in place (either funded by the agency or by TSGP). In addition, recipients must commit to minimum training standards for all Federally funded OPack positions. For an application for an OPack to be considered eligible, it must include a *Five-Year Security Capital and Operational Sustainment Plan*. Please see <a href="https://www.grants.gov">www.grants.gov</a> for the required template. Please refer to the Operational Activities section below for more information.

#### c. Detailed Budget

Applicants must provide a detailed budget for the funds requested. The detailed budget must be submitted with the grant application as a file attachment within <a href="FEMA GO">FEMA GO</a>. The budget must be complete, reasonable, and cost-effective in relation to the proposed project. The budget should provide the basis of computation of all project-related costs, any appropriate narrative, and a detailed justification of M&A costs. A recipient may not obligate, expend, or draw down funds until a budget and budget narrative have been approved by DHS/FEMA. The budget detail worksheet may be used as a guide to assist applicants in the preparation of the budget and budget narrative. Note: Design and Planning/Engineering costs must be clearly identified in a separate line item in order for partial funding to be released prior to Environmental Planning and Historic Preservation (EHP) review and approval. Please see the <a href="Preparedness Grants Manual">Preparedness Grants Manual</a> for information on the EHP review process.

**Detailed budgets must be submitted with the grant application as a file attachment** within FEMA GO. Applicants must use the following file naming convention when submitting detailed budgets as part of the TSGP: Applicants must use the following file naming convention when submitting detailed budgets as part of the TSGP:

Region Agency Name IJ Number Budget (Example: Chicago CTA IJ 1 Budget)

## d. Sensitive Security Information (SSI) Requirements

A portion of the information that is routinely submitted in the course of applying for funding or reporting under certain programs or that is provided in the course of an entity's grant management activities under those programs that are under federal control may be subject to protection under an SSI marking and must be properly identified and marked accordingly. SSI is a control designation used by DHS/FEMA to protect transportation security-related information. It is applied to information about security programs, vulnerability and threat assessments, screening processes, technical specifications of certain screening equipment and objects used to test screening equipment, and equipment used for communicating security information relating to air, land, or maritime transportation. Further information can be found at 49 C.F.R. Part 1520, Protection of Sensitive Security Information.

For the purposes of the TSGP, and due to the high-frequency of SSI found in TSGP-related IJs, all TSGP IJs shall be considered SSI and treated as such until they have been subject to review for SSI by DHS/FEMA. Therefore, applicants shall label all application documents as SSI in accordance with 49 C.F.R. § 1520.13.

#### e. Public Transit Risk Assessment Methodology (PT-RAM)

FEMA has spent the past several years working with TSA to develop and test a process for identifying risk and prioritizing investments unique to the suite of surface transportation security programs. This process was implemented as a requirement for all TSGP recipients beginning in FY 2024. Recipients of FY 2025 TSGP funding will also be required to provide a Public Transit Risk Assessment completed within the past three years or implement one in conjunction with their FY 2025 TSGP award. Many potential recipients of FY 2025 TSGP funding have already completed the process and are considered compliant. For those that have not yet completed the process, technical assistance is available to assist with compliance during the period of

performance of the FY 2025 TSGP award. Please contact your FEMA headquarters Preparedness Officer following acceptance of your award to discuss

**E.** Post-Application Requirements for Successful Applicants Not applicable.

#### 5. Submission Requirements and Deadlines

A. Address to Request Application Package

Applications are processed through the FEMA GO system. To access the system, go to <a href="https://go.fema.gov/">https://go.fema.gov/</a>.

Steps Required to Apply For An Award Under This Program and Submit an Application:

To apply for an award under this program, all applicants must:

- a. Apply for, update, or verify their Unique Entity Identifier (UEI) number EIN from the Internal Revenue Service;
- b. In the application, provide an UEI number;
- c. Have an account with login.gov;
- d. Register for, update, or verify their SAM account and ensure the account is active before submitting the application;
- e. Register in FEMA GO, add the organization to the system, and establish the Authorized Organizational Representative (AOR). The organization's electronic business point of contact (eBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see <a href="https://www.fema.gov/media-library/assets/documents/181607">https://www.fema.gov/media-library/assets/documents/181607</a>;
- f. Submit the complete application in FEMA GO; and
- g. Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. As part of this, applicants must also provide information on an applicant's immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded federal contracts or federal financial assistance within the last three years, if applicable.

Per <u>2 CFR 25.110(a)(2)(iv)</u>, if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to receiving a federal award, the applicant must notify FEMA as soon as possible. Contact <u>fema-grants-news@fema.dhs.gov</u> and provide the details of the exigent circumstances.

How to Register to Apply:

#### General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Below are instructions for registering to apply for FEMA funds. Read the instructions carefully and prepare the requested information before beginning the registration process. Gathering the required information before starting the process will alleviate last-minute searches for required information.

The registration process can take up to four weeks to complete. To ensure an application meets the deadline, applicants are advised to start the required steps well in advance of their submission.

Organizations must have a Unique Entity Identifier (UEI) number, Employer Identification Number (EIN), and an active System for Award Management (SAM) registration.

#### Obtain a UEI Number:

All entities applying for funding, including renewal funding, must have a UEI number. Applicants must enter the UEI number in the applicable data entry field on the SF-424 form. For more detailed instructions for obtaining a UEI number, refer to SAM.gov.

#### Obtain Employer Identification Number:

In addition to having a UEI number, all entities applying for funding must provide an Employer Identification Number (EIN). The EIN can be obtained from the IRS by visiting <a href="https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online">https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online</a>.

#### Create a login.gov account:

Applicants must have a login.gov account in order to register with SAM or update their SAM registration. Applicants can create a login.gov account at: <a href="https://secure.login.gov/sign\_up/enter\_email?request\_id=34f19fa8-14a2-438c-8323-a62b99571fd">https://secure.login.gov/sign\_up/enter\_email?request\_id=34f19fa8-14a2-438c-8323-a62b99571fd</a>.

Applicants only have to create a login.gov account once. For existing SAM users, use the same email address for both login.gov and SAM.gov so that the two accounts can be linked.

For more information on the login.gov requirements for SAM registration, refer to <a href="https://www.sam.gov/SAM/pages/public/loginFAQ.jsf">https://www.sam.gov/SAM/pages/public/loginFAQ.jsf</a>.

#### Register with SAM:

In addition to having a UEI number, all organizations must register with SAM. Failure to register with SAM will prevent your organization from applying through FEMA GO. SAM registration must be renewed annually and must remain active throughout the entire grant life cycle.

For more detailed instructions for registering with SAM, refer to: Register with SAM

**Note:** per <u>2 C.F.R. § 25.200</u>, applicants must also provide the applicant's immediate and highest-level owner, subsidiaries, and predecessors that have been awarded federal contracts or federal financial assistance within the past three years, if applicable.

Register in FEMA GO, Add the Organization to the System, and Establish the AOR:

Applicants must register in FEMA GO and add their organization to the system. The organization's electronic business point of contact (eBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see FEMA GO Startup Guide.

Note: FEMA GO will support only the most recent major release of the following browsers:

- Google Chrome;
- Mozilla Firefox;
- Apple Safari; and
- Microsoft Edge.

Applicants using tablet type devices or other browsers may encounter issues with using FEMA GO.

Submitting the Final Application:

Applicants will be prompted to submit the standard application information and any programspecific information required. Standard Forms (SF) may be accessed in the Forms tab under the SF-424 family on Grants.gov.

Applicants should review these forms before applying to ensure they are providing all required information.

After submitting the final application, FEMA GO will provide either an error message, or an email to the submitting AOR confirming the transmission was successfully received.

- **B.** Application Deadline 08/15/25 at 05:00:00 PM Eastern Time
- **C.** Pre-Application Requirements Deadline Not applicable.
- **D.** Post-Application Requirements Deadline Not applicable.

#### **E.** Effects of Missing the Deadline

All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of submission and generates an electronic date/time stamp when FEMA GO successfully receives an application. The submitting AOR will receive via email the official date/time stamp and a FEMA GO tracking number to serve as proof of timely submission prior to the application deadline.

Applicants experiencing system-related issues have until 3:00 PM ET on the date applications are due to notify FEMA. No new system-related issues will be addressed after this deadline. Applications not received by the application submission deadline will not be accepted.

#### 6. <u>Intergovernmental Review</u>

**A.** Requirement Description and State Single Point of Contact
An intergovernmental review may be required. Applicants must contact their state's <u>Single Point of Contact (SPOC)</u> to comply with the state's process under Executive Order 12372.

#### 7. Application Review Information

#### **A.** Threshold Criteria

FEMA conducts reviews of all applications received to compare them for duplication including the narrative statements and statistical data. Therefore, all elements of the narrative statements must be specific and unique to the applying entity, and all statistical data must be accurate. Applications with narrative statements that have substantial duplication of statements, sentences, or paragraphs to other submitted applications, or inaccurate data that may mislead reviewers may be disqualified. Discovery of falsification, fabrication, or plagiarism of other grant proposals will disqualify the application(s).

Note: Typically, FEMA evaluates each application on its merit, veracity, and accuracy to ascertain how the narrative statement(s) outlined within the application depicts the applicant's and their organization's uniqueness, their particular risks, and how selecting them over a similarly situated applicant advances the objectives of the TSGP program to assist transportation agencies with the capabilities to respond to threats and assure that traveling public has adequate protection from all hazards. Under FY 2025 TSGP, pre-approved applicants may submit multiple projects for review after the award is received. Projects within each award will receive the merit review as outlined below.

#### **B.** Application Criteria

#### a. Overview

Applications will first be screened for eligibility and verified eligible to receive an allocation. TSGP will recommend funding decisions to the Secretary of Homeland Security. Ultimately, final funding determinations are at the discretion of the Secretary of Homeland Security.

#### b. Project Review Process

Applicants will submit projects to TSGP for consideration through FEMA GO, and as needed in coordination with the Transportation Security Administration (TSA). Projects submitted will be reviewed to ensure:

- The project meets the minimum requirements in accordance with the FY 2025 TSGP NOFO.
- Clearly focuses on security (vs. safety, crime, or general operations).
- Clearly links to one of more vulnerabilities in a recent Threat & Vulnerability Assessment (TVA).
- Will measurably buy-down risk based on its linkage to the TVA and the agency's current security posture.

DHS/FEMA headquarters grants management specialists will also conduct a financial review using the following criteria:

- Allowability, allocability, and financial reasonableness of the proposed budget and investment information; and
- Whether a recipient meets the financial and legal requirements listed in 2 C.F.R. Part 200.

#### C. Financial Integrity Criteria

Before making an award, FEMA is required to review OMB-designated databases for applicants' eligibility and financial integrity information. This is required by the Payment Integrity Information Act of 2019 (Pub. L. No. 116-117, § 2 (2020)), 41 U.S.C. § 2313, and the "Do Not Pay Initiative" (31 U.S.C. 3354). For more details, please see 2 C.F.R. § 200.206.

Thus, the Financial Integrity Criteria may include the following risk-based considerations of the applicant:

- 1. Financial stability.
- 2. Quality of management systems and ability to meet management standards.
- 3. History of performance in managing federal award.
- 4. Reports and findings from audits.
- 5. Ability to effectively implement statutory, regulatory, or other requirements.

#### **D.** Supplemental Financial Integrity Criteria and Review

Before making an award expected to exceed the simplified acquisition threshold (currently a total federal share of \$250,000) over the period of performance:

- 1. FEMA is required by 41 U.S.C. § 2313 to review or consider certain information found in SAM.gov. For details, please see 2 C.F.R. § 200.206(a)(2).
- 2. An applicant may review and comment on any information in the responsibility/qualification records available in SAM.gov.
- 3. Before making decisions in the risk review required by <u>2 C.F.R. § 200.206</u>, FEMA will consider any comments by the applicant.

#### **E.** Reviewers and Reviewer Selection

FEMA's joint Federal agency working group member SMEs from TSA, the Department of Transportation, and FEMA may be consulted during project verification. Administrative reviewers are comprised of full-time FEMA staff assigned to the TSGP. All reviewers are provided review guidelines that are aligned to this NOFO and include references to ensure consistency and standardization of reviews.

#### F. Merit Review Process

See section "7. Application Review Information" for evaluation criteria, weighted scoring and merit-based approach for application reviews.

#### G. Final Selection

The Executive Committee will recommend funding decisions and projects that are presented to the Secretary of Homeland Security. Ultimately, final funding determinations are at the discretion of the Secretary of Homeland Security.

#### 8. Award Notices

#### **A.** Notice of Award

The Authorized Organization Representative should carefully read the federal award package before accepting the federal award. The federal award package includes instructions on administering the federal award as well as terms and conditions for the award.

By submitting an application, applicants agree to comply with the prerequisites stated in this NOFO, the <u>Preparedness Grants Manual</u>, and the material terms and conditions of the federal award, should they receive an award.

FEMA will provide the federal award package to the applicant electronically via FEMA GO. Award packages include an Award Letter, Summary Award Memo, Agreement Articles, and Obligating Document. An award package notification email is sent via the grant application system to the submitting AOR.

Recipients must accept their awards no later than 60 days from the award date. Recipients shall notify FEMA of their intent to accept the award and proceed with work via the FEMA GO system.

Funds will remain on hold until the recipient accepts the award via FEMA GO and all other conditions of the award have been satisfied, or until the award is otherwise rescinded. Failure to accept a grant award within the specified timeframe may result in a loss of funds.

## **B.** Pass-Through Requirements

Not Applicable. The TSGP does not permit pass-through funding.

#### C. Note Regarding Pre-Award Costs

Even if pre-award costs are allowed, beginning performance is at the applicant and/or subapplicant's own risk.

#### **D.** Obligation of Funds

The funds are obligated only when and once the agency's signatory authority approves and signs the award package.

#### E. Notification to Unsuccessful Applicants

Unsuccessful Applicants will be notified through the FEMA GO system after all successful awards have been made, but not sooner than October 1<sup>st</sup> of this award cycle. Applicants may contact the program office for additional feedback.

#### 9. Post-Award Requirements and Administration

A. Administrative and National Policy Requirements

#### Presidential Executive Orders

Recipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference.

In accordance with Executive Order 14305, Restoring American Airspace Sovereignty (June 6, 2025), and to the extent allowed by law, eligible state, local, tribal, and territorial grant recipients under this NOFO are permitted to purchase unmanned aircraft systems, otherwise known as drones, or equipment or services for the detection, tracking, or identification of drones and drone signals, consistent with the legal authorities of state, local, tribal, and territorial agencies.

Recipients must comply with all applicable federal, state, and local laws and regulations, and adhere to any statutory requirements on the use of federal funds for such unmanned aircraft systems, equipment, or services.

#### Subrecipient Monitoring and Management

Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.

### **B.** DHS Standard Terms and Conditions

A recipient under this funding opportunity must comply with the DHS Standard Terms and Conditions in effect as of the date of the federal award. The DHS Standard Terms and Conditions are available online: <a href="DHS Standard Terms and Conditions">DHS Standard Terms and Conditions</a> | Homeland Security. For continuation awards, the terms and conditions for the initial federal award will apply unless otherwise specified in the terms and conditions of the continuation award. The specific version of the DHS Standard Terms and Conditions applicable to the federal award will be in the federal award package.

#### C. Financial Reporting Requirements

See the <u>Preparedness Grants Manual</u> for information on financial reporting requirements.

## **D.** Programmatic Performance Reporting Requirements

See the <u>Preparedness Grants Manual</u> for information on performance reporting requirements.

#### E. Closeout Reporting Requirements

See the <u>Preparedness Grants Manual</u> for information on closeout reporting requirements and administrative closeout.

#### Additional Reporting Requirements

Anytime there is a chance in personnel for any of the awardees and/or subrecipients, their information needs to be submitted for approval (all the previous personal information identified).

## F. Disclosing Information per 2 C.F.R. § 180.335

See the <u>Preparedness Grants Manual</u> for information on disclosing information per 2 C.F.R. § 180.335.

#### G. Reporting of Matters Related to Recipient Integrity and Performance

See the <u>Preparedness Grants Manual</u> for information on reporting of matters related to recipient integrity and performance.

#### H. Single Audit Report

See the Preparedness Grants Manual for information on single audit reports

#### I. Monitoring and Oversight

Per <u>2 C.F.R.</u> § 200.337, DHS and its authorized representatives have the right of access to any records of the recipient or subrecipient pertinent to a Federal award to perform audits, site visits, and any other official use. The right also includes timely and reasonable access to the recipient's or subrecipient's personnel for the purpose of interview and discussion related to such documents or the Federal award in general.

Pursuant to this right and per <u>2 C.F.R. § 200.329</u>, DHS may conduct desk reviews and make site visits to review and evaluate project accomplishments and management control systems as well as provide any required technical assistance. Recipients and subrecipients must respond in a timely and accurate manner to DHS requests for information relating to a federal award. See the Preparedness Grants Manual for more information on monitoring and oversight.

#### J. Program Evaluation

Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), <u>PUBL435.PS</u> urges federal agencies to use program evaluation as a critical tool to learn, improve delivery, and elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency." Evidence Act, § 101 (codified at 5 U.S.C. § 311). OMB A-11, Section 290 (Evaluation and Evidence-Building Activities) further outlines the standards and practices for evaluation activities. Federal agencies are required to specify any requirements for recipient participation in program evaluation activities (2 C.F.R. § 200.301). Program evaluation activities incorporated from the outset in the NOFO and program design and implementation allow recipients and agencies to meaningfully document and measure progress and achievement towards program goals and objectives, and identify program outcomes and lessons learned, as part of demonstrating recipient performance (2 C.F.R. § 200.301).

As such, recipients and subrecipients are required to participate in a Program Office (PO) or a DHS Component-led evaluation, if selected. This may be carried out by a third-party on behalf of the PO or the DHS Component. Such an evaluation may involve information collections including but not limited to, records of the recipients; surveys, interviews, or discussions with individuals who benefit from the federal award, program operating personnel, and award recipients; and site visits or other observation of recipient activities, as specified in a DHS Component or PO-approved evaluation plan. More details about evaluation requirements may be provided in the federal award, if available at that time, or following the award as evaluation requirements are finalized. Evaluation costs incurred during the period of performance are allowable costs (either as direct or indirect) in accordance with 2 C.F.R.§ 200.413.

Recipients and subrecipients are also encouraged, but not required, to participate in any additional evaluations after the period of performance ends, although any costs incurred to participate in such evaluations are not allowable and may not be charged to the federal award.

**K.** Additional Performance Reporting Requirements Not applicable.

#### L. Termination of the Federal Award

1. Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 sets forth a term and condition entitled "Termination of a Federal Award." The termination provision condition listed below applies to the grant award and the term and condition in Paragraph C.XL of the FY 2025 DHS Standard Terms and Conditions, v.3 does not.

#### 2. Termination of the Federal Award by FEMA

FEMA may terminate the federal award in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

- a. If the recipient or subrecipient fails to comply with the terms and conditions of the federal award.
- b. With the consent of the recipient, in which case FEMA and the recipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
- c. If the federal award no longer effectuates the program goals or agency priorities. Under this provision, FEMA may terminate the award for these purposes if any of the following reasons apply:
  - i. If DHS/FEMA, in its sole discretion, determines that a specific award objective is ineffective at achieving program goals as described in this NOFO;
  - ii. If DHS/FEMA, in its sole discretion, determines that an objective of the award as described in this NOFO will be ineffective at achieving program goals or agency priorities;
  - iii. If DHS/FEMA, in its sole discretion, determines that the design of the grant program is flawed relative to program goals or agency priorities;
  - iv. If DHS/FEMA, in its sole discretion, determines that the grant program is not aligned to either the DHS Strategic Plan, the FEMA Strategic Plan, or successor policies or documents;
  - v. If DHS/FEMA, in its sole discretion, changes or re-evaluates the goals or priorities of the grant program and determines that the award will be ineffective at achieving the updated program goals or agency priorities; or
  - vi. For other reasons based on program goals or agency priorities described in the termination notice provided to the recipient pursuant to 2 C.F.R. § 200.341.
  - vii. If the awardee falls out of compliance with the Agency's statutory or regulatory authority, award terms and conditions, or other applicable laws.

#### 3. Termination of a Subaward by the Pass-Through Entity

The pass-through entity may terminate a subaward in whole or in part for one of the following reasons identified in 2 C.F.R. § 200.340:

a. If the subrecipient fails to comply with the terms and conditions of the federal award.

- b. With the consent of the subrecipient, in which case the pass-through entity and the subrecipient must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.
- c. If the pass-through entity's award has been terminated, the pass-through recipient will terminate its subawards.

## 4. Termination by the Recipient or Subrecipient

The recipient or subrecipient may terminate the federal award in whole or in part for the following reason identified in 2 C.F.R. § 200.340: Upon sending FEMA or pass-through entity a written notification of the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if FEMA or pass-through entity determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, FEMA or pass-through entity may terminate the Federal award in its entirety.

#### 5. Impacts of Termination

- a. When FEMA terminates the federal award prior to the end of the period of performance due to the recipient's material failure to comply with the terms and conditions of the federal award, FEMA will report the termination in SAM.gov in the manner described at 2 C.F.R. § 200.340(c).
- b. When the federal award is terminated in part or its entirety, FEMA or the pass-through entity and the recipient or subrecipient remain responsible for compliance with the requirements in 2 C.F.R. §§ 200.344 and 200.345.

#### 6. Notification requirements

FEMA or the pass-through entity must provide written notice of the termination in a manner consistent with 2 C.F.R. § 200.341. The federal award will be terminated on the date of the notification unless stated otherwise in the notification.

#### 7. Opportunities to Object and Appeals

Where applicable, when FEMA terminates the federal award, the written notification of termination will provide the opportunity and describe the process to object and provide information challenging the action, pursuant to 2 C.F.R. § 200.342.

### 8. Effects of Suspension and Termination

The allowability of costs to the recipient or subrecipient resulting from financial obligations incurred by the recipient or subrecipient during a suspension or after the termination of a federal award are subject to 2 C.F.R. § 200.343.

#### M. Best Practices

While not a requirement in the DHS Standard Terms and Conditions, as a best practice, entities receiving funds through this program should ensure that cybersecurity is integrated into the

design, development, operation, and maintenance of investments that impact information technology (IT) and/ or operational technology (OT) systems. <u>Additionally, "The recipient and subrecipient must ... take reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information." 2 C.F.R. § 200.303(e).</u>

#### N. Payment Information

Recipients will submit payment requests in FEMA GO for FY25 awards under this program.

#### **Instructions to Grant Recipients Pursuing Payments**

FEMA reviews all grant payments and obligations to ensure allowability in accordance with 2 <u>C.F.R. § 200.305</u>. These measures ensure funds are disbursed appropriately while continuing to support and prioritize communities who rely on FEMA for assistance. Once a recipient submits a payment request, FEMA will review the request. If FEMA approves a payment, recipients will be notified by FEMA GO and the payment will be delivered pursuant to the recipients SAM.gov financial information. If FEMA disapproves a payment, FEMA will inform the recipient.

#### **Processing and Payment Timeline**

FEMA must comply with regulations governing payments to grant recipients. See <u>2 C.F.R. §</u> <u>200.305</u>. For grant recipients other than States, <u>2 C.F.R. §</u> <u>200.305(b)(3)</u> stipulates that FEMA is to make payments on a reimbursement basis within 30 days after receipt of the payment request, unless FEMA reasonably believes the request to be improper. For state recipients, <u>2 C.F.R. §</u> <u>200.305(a)</u> instructs that federal grant payments are governed by Treasury-State Cash Management Improvement Act (CMIA) agreements ("Treasury-State agreement") and default procedures codified at <u>31 C.F.R. part 205</u> and <u>Treasury Financial Manual (TFM) 4A-2000</u>, "Overall Disbursing Rules for All Federal Agencies." *See* <u>2 C.F.R. §</u> <u>200.305(a)</u>.

Treasury-State agreements generally apply to "major federal assistance programs" that are governed by 31 C.F.R. part 205, subpart A and are identified in the Treasury-State agreement. 31 C.F.R. §§ 205.2, 205.6. Where a federal assistance (grant) program is not governed by subpart A, payment and funds transfers from FEMA to the state are subject to 31 C.F.R. part 205, subpart B. Subpart B requires FEMA to "limit a funds transfer to a state to the minimum amounts needed by the state and must time the disbursement to be in accord with the actual, immediate cash requirements of the state in carrying out a federal assistance program or project. The timing and amount of funds transfers must be as close as is administratively feasible to a state's actual cash outlay for direct program costs and the proportionate share of any allowable indirect costs." 31 C.F.R. § 205.33(a). Nearly all FEMA grants are not "major federal assistance programs." As a result, payments to states for those grants are subject to the "default" rules of 31 C.F.R. part 205, subpart B.

If additional information is needed, a request for information will be issued by FEMA to the recipient; recipients are strongly encouraged to respond to any additional FEMA request for information inquiries within three business days. If an adequate response is not received, the request may be denied, and the entity may need to submit a new reimbursement request; this will re-start the 30-day timeline.

#### **Submission Process**

All non-disaster grant program reimbursement requests must be reviewed and approved by FEMA prior to drawdowns.

For all non-disaster reimbursement requests (regardless of system), please ensure submittal of the following information:

- 1. Grant ID / Award Number
- 2. Total amount requested for drawdown
- 3. Purpose of drawdown and timeframe covered (must be within the award performance period)
- 4. Subrecipient Funding Details (if applicable).
  - Is funding provided directly or indirectly to a subrecipient?
    - o If **no**, include statement "This grant funding is not being directed to a subrecipient."
  - If **yes**, provide the following details:
    - o The name, mission statement, and purpose of each subrecipient receiving funds, along with the amount allocated and the specific role or activity being reimbursed.
    - Whether the subrecipient's work or mission involves supporting aliens, regardless of whether FEMA funds support such activities.
    - o Whether the payment request includes an activity involving support to aliens.
    - o Whether the subrecipient has any diversity, equity, and inclusion practices.
- 5. Supporting documentation to demonstrate that expenses are allowable, allocable, reasonable, and necessary under <u>2 CFR part 200</u> and in compliance with the grant's NOFO, award terms, and applicable federal regulations.

#### **O.** Immigration Conditions

1. Materiality of Pending Immigration Condition

An immigration term and condition, including those in the DHS Standard Terms and Conditions, may be material to the Department of Homeland Security's decision to make this grant award, and the Department of Homeland Security may take any remedy for noncompliance, including termination, if the state or territorial recipient or any local government subrecipient fails to comply with this term and condition. No final agency decision has been made as of the date of this publication.

#### 10. Other Information

#### A. Period of Performance Extension

Extensions to the period of performance are allowed.

See the Preparedness Grants Manual for information on period of performance extensions

#### **B.** Other Information

## a. Environmental Planning and Historic Preservation (EHP) Compliance

See the Preparedness Grants Manual for information on EHP compliance.

#### b. Procurement Integrity

See the Preparedness Grants Manual for information on procurement integrity.

### c. Financial Assistance Programs for Infrastructure

1. Recipients and subrecipients must comply with FEMA's implementation requirements of the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act §§ 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also 2 C.F.R. Part 184, Buy America Preferences for Infrastructure Projects and Office of Management and Budget (OMB), Memorandum M-24-02, Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

None of the funds provided under this program may be used for a project for infrastructure unless the iron and steel, manufactured products, and construction materials used in that infrastructure are produced in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

To see whether a particular FEMA federal financial assistance program is considered an infrastructure program and thus required to implement FEMA's Build America, Buy America requirements, please see <a href="Programs and Definitions: Build America, Buy America Act|FEMA.gov">Programs and Definitions: Build America, Buy America Act|FEMA.gov</a>.

#### 2. Waivers

When necessary, recipients (and subrecipients through their pass-through entity) may apply for, and FEMA may grant, a waiver from these requirements.

A waiver of the domestic content procurement preference may be granted by the agency awarding official if FEMA determines that:

- Applying the domestic content procurement preference would be inconsistent with the public interest, or
- The types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality, or
- The inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25%.

The process for requesting a waiver from the Buy America preference requirements can be found on FEMA's website at: "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov.

#### 3. Definitions

For definitions of the key terms of the Build America, Buy America Act, please visit <u>Programs</u> and Definitions: Build America, Buy America Act | FEMA.gov.

#### d. Mandatory Disclosures

The non-Federal entity or applicant for a federal award must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. (2 C.F.R. § 200.113)

#### e. Adaptive Support

Pursuant to Section 504 of the Rehabilitation Act of 1973, recipients of FEMA financial assistance must ensure that their programs and activities do not discriminate against qualified individuals with disabilities.

#### f. Record Retention

See the Preparedness Grants Manual for information on record retention.

#### g. Actions to Address Noncompliance

See the Preparedness Grants Manual for information on actions to address noncompliance.

#### h. Audits

See the Preparedness Grants Manual for information on audits.

#### 11. Appendix A: FY 2025 TSGP Target Allocations

State	Transit Agency	FY 2025 Risk-Only Allocation
NY	Metropolitan Transportation Authority (MTA)	\$33,898,500
DC	Washington Metropolitan Area Transit Authority (WMATA)	\$8,186,878
IL	Chicago Transit Authority (CTA)	\$7,611,350
MA	Massachusetts Bay Transportation Authority (MBTA)	\$6,744,244
CA	Los Angeles County Metropolitan Transportation Authority	\$4,914,154
PA	Southeastern Pennsylvania Transportation Authority	\$4,762,170
NJ	New Jersey Transit Corporation	\$4,155,182
NJ	Port Authority of NY & NJ (PANYNJ)	\$2,086,472
CA	San Francisco Municipal Railway (MUNI)	\$1,486,472
GA	Metropolitan Atlanta Rapid Transit Authority (MARTA)	\$1,484,579

MD	Maryland Transit Administration (MD MTA)	\$994,027
TX	Metropolitan Transportation Authority of Harris County	\$790,690
CA	San Francisco Bay Area Rapid Transit District (BART)	\$753,176
WA	King County Department of Transportation	\$613,209
OR	Tri-County Metropolitan District of Oregon (Tri-Met)	\$606,973
CA	San Diego Metropolitan Transit System (MTS)	\$577,500
IL	Northeast Illinois Commuter Railroad Corporation (METRA)	\$556,157
CA	Alameda Contra Costa Transit District (AC Transit)	\$523,292
FL	Miami-Dade Transit Agency	\$507,088
CO	Denver Regional Transportation District	\$503,257
NV	Regional Transportation Commission of Southern Nevada	\$441,940
CT	Connecticut Department of Transportation	\$412,033
MN	Minneapolis Metro Transit	\$389,563
TX	Dallas Area Rapid Transit (DART)	\$352,721
CA	Orange County Transportation Authority (OCTA)	\$348,373
Total		\$83,700,000

## 12. Appendix B: Allowable Costs

Costs generally need to fit within one of the categories listed below to be allowable under this program. Applicants who have questions about whether a potential cost is allowable or not under this program should contact their Preparedness Officer.

Specific investments made in support of the funding priorities generally fall into one of the following allowable expense categories:

- Planning;
- Operational Activities;
- Equipment and Capital Projects;
- Training and Awareness Campaigns; and
- Exercises.

The following provides guidance on allowable costs within each of these areas:

## A. Planning

TSGP funds may be used for the following types of planning activities:

- 1. Development and enhancement of system-wide security risk management plans that ensure the continuity of essential functions, to include cyber;
- 2. Development or further strengthening of continuity plans, response plans, station action plans, risk assessments, and asset-specific remediation plans;
- 3. Development or further strengthening of security assessments, including multi-agency and multi-jurisdictional partnerships and conferences to facilitate planning activities;
- 4. Hiring of full or part-time staff and contractors or consultants to assist with planning activities only to the extent that such expenses are for the allowable activities within the scope of the grant (not for the purpose of hiring public safety personnel); hiring of contractors/consultants must follow the applicable federal procurement requirements at 2 C.F.R. §§ 200.317-200.327;
- 5. Materials required to conduct planning activities;
- 6. Conducting risk and resilience assessments on increasingly connected cyber and physical systems, on which security depends, using the Infrastructure Resilience Planning Framework and related CISA resources;
- 7. Planning activities related to alert and warning capabilities; and
- 8. Other project planning activities with prior approval from FEMA.

## **B.** Operational Activities

FEMA encourages applicants to develop innovative operational approaches to enhance the security of transit systems. Projects that use visible, unpredictable deterrence, to include operational packages dealing with explosive detection canine teams, mobile screening teams, and anti-terrorism teams, directly support enhancing the protection of soft targets and crowded places. Implementation of one of the three OPack models discussed below complements existing security systems and provides an appropriate, practical, and cost-effective means of protecting assets.

Agencies may submit IJs to fund transit security police forces/law enforcement providers for patrols and activities on overtime, such as directed patrols, additional canine teams, mobile screening teams, or anti-terrorism team patrols. These activities must be dedicated to the transit environment and must be anti-terrorism in nature. Agencies must identify the type of activity, length of operation (hours), number of personnel, and cost based on length of operation and personnel. Agencies should also provide a risk-based justification for the request, to include linkage to a known event, such as hosting a significant regional sporting or political event; or a period of heightened awareness, such as a national holiday. Three OPack types have been developed to support operational activities and are available for funding under the TSGP:

- 1. **Explosives Detection Canine Teams (EDCTs).** When combined with the existing capability of a transit security/police force, the added value provided through the addition of an EDCT is significant. EDCTs are a proven, reliable resource to detect explosives and are a key component in a balanced counter-sabotage program. The TSGP will provide funds to establish dedicated security/police force canine teams. Each canine team will be composed of one dog and one handler.
- 2. **Anti-Terrorism Teams (ATTs).** The ATT capability provided through TSGP funding is for uniformed, dedicated transit patrols on a normal operational basis, rather than using

teams only for a surge capacity as provided by FEMA in the past. ATTs do not supersede other local transit security forces; rather, they augment current capabilities. Each ATT will consist of four individuals, including two overt elements (e.g., uniformed transit sector law enforcement officer, canine team, mobile explosive screeners), and two discreet observer elements.

3. **Mobile Explosive Screening Teams (MESTs).** The MEST OPack will allow recipients the flexibility to deploy combinations of certified explosive ordinance technicians with mobile explosive screening technologies, including during local National Special Security Events. This screening technology will be coupled with mobile explosive screening technologies. Each MEST should have a minimum of two members and one mobile explosive screening apparatus.

Note: Funds for canine teams may not be used to fund drug detection and apprehension technique training. Only explosives detection training for the canine teams will be funded.

## Five-Year Security Capital Plan and Operational Sustainment

Applicant requests for OPack funding must include the submission of a Five-Year Security Capital and Operational Sustainment Plan in FEMA GO. This plan must include how the agency proposes to implement capital projects and demonstrate how the agency will sustain the operational investments (including officers hired with federal funding) and capabilities after grant funding has been expended. *Requests for OPacks will not be funded if the applicant does not have a Security Capital and Operational Sustainment Plan*.

## a. Funding Availability For OPacks

OPacks have the potential to be funded for up to 36 months from the award date. The monetary figures presented below are stated in terms of cost per period of performance (which indicates actual/complete funding for a 36-month period). Additionally, any OPack costs after the period of performance (including expenses related to the maintenance, personnel, equipment, etc.) are the responsibility of the applicable transit system. Additional funding may be applied for in future grant cycles to maintain this operational capability, but future funding is not guaranteed and requires approval. If these positions are not sustained, the public transportation agency may not be eligible for this personnel support in the future. The table below identifies the maximum funding available for the different OPack types.

# **Available Funding for OPacks**

Operational Package	Maximum Funding per Vear (12 months)	Maximum Funding per Period of Performance (36 months)
EDCT	\$150,000 per team	\$450,000 per team
ATT	\$500,000 per team	\$1,500,000 per team
MEST	\$600,000 per team	\$1,800,000 per team

## b. OPack Requirements

TSGP OPack funds may be used for new positions or to sustain existing capabilities/programs (e.g., canine teams) already supported by the recipient. Applicants submitting IJs for both new OPacks and sustainment funding for existing OPacks must indicate in their IJs which funding the higher priority for their agency is. Additionally, applicants must provide the number of existing teams (EDCT, ATT, and MEST) already in place, regardless of how they are funded (e.g., inhouse funding or FEMA funding). The below table identifies specific OPack requirements.

**OPack Requirements** 

Orack Requirements					
Operational Package	Requirements				
Explosives Detection Canine Teams (EDCTs)	Please refer to the <u>Preparedness Grants Manual</u> for detailed information regarding EDCTs for TSGP.				
Anti-Terrorism Teams (ATT)	Specific for the Canine Team within the ATT:  Each canine team, composed of one dog and one handler, must be certified by an appropriate, qualified organization;  Canines should receive an initial basic training course and also weekly maintenance training sessions thereafter to maintain the certification;  The basic training averages 10 weeks for the team, with weekly training and daily exercising (comparable training and certification standards, such as those promulgated by the TSA Explosive Detection Canine Program), the National Police Canine Association (NPCA), the United States Police Canine Association (USPCA), or the International Explosive Detection Dog Association (IEDDA) may be used to meet this requirement);  The individuals hired for the covert and overt elements must be properly trained law enforcement officers; and  Certifications should be on file with the recipient and must be made available to FEMA upon request.				
Mobile Explosives Screening Team (MEST)	Certifications should be on file with the recipient and must be made available to FEMA upon request.				

## c. Allowable Expenses for OPacks

The below table identifies allowable expenses for the various OPacks. Please see the inserted notes for clarification of certain allowable costs.

## **Allowable Expenses for OPacks**

Ope Pack	rational kage	Salary and Fringe Benefits	Training and Certification	Equipment Costs	Purchase and Train a Canine	Canine Costs
1)	EDCT <sup>a</sup>	<b>√</b>	<b>√</b>	<b>√</b>	√ c	✓
2)	ATT	✓	<b>√</b>	<b>√</b>	✓	✓

Operational Package		Salary and Fringe Benefits	Training and Certification	<b>Equipment</b> Costs	Purchase and Train a Canine	Canine Costs
3)	MEST	✓		√ d		

<sup>&</sup>lt;sup>a</sup> Travel costs associated with training for personnel, handlers, and canines are allowable

## C. Equipment and Capital Projects

Priority projects include Top Transit Asset List (TTAL) risk remediation and protection of other high-risk, high-consequence areas or systems that have been identified through system-wide risk assessments. These costs include:

- 1. Projects related to physical security enhancements at rail and bus stations in Urban Area Security Initiative (UASI) jurisdictions including security cameras, security screening equipment for people and baggage, and access control (e.g., fences, gates, barriers, etc.); and
- 2. Projects related to cybersecurity of access control, sensors, security cameras, badge/ID readers, Industrial Control System (ICS)/Supervisory Control and Data Acquisition (SCADA) systems, process monitors and controls, etc. or passenger/vehicle/cargo security screening equipment support. Cybersecurity assessments are allowable.

# a. Equipment Acquisition

Program funds may be used for the following categories of equipment. A comprehensive listing of allowable equipment categories and types is found in the <u>Authorized Equipment List (AEL)</u>. These costs include:

- 1. Personal protection equipment;
- 2. Explosive device mitigation and remediation equipment;
- 3. Chemical, biological, radiological, nuclear, and explosive (CBRNE) operational search and rescue equipment, logistical support equipment, reference materials, or incident response vehicles
- 4. Interoperable communications equipment, including alert and warning capabilities;
- 5. Components or systems needed to address flaws in the computerized systems that control generators, switching stations, and electrical substations as well as other threats to infrastructure critical to the U.S. economy;
- 6. Detection equipment;
- 7. Power equipment;
- 8. Terrorism incident prevention equipment; and
- 9. Physical security enhancement equipment.

Recipients and subrecipients may purchase equipment not listed on the AEL, but only if they seek and obtain prior approval from FEMA.

For additional information on controlled equipment, see IB # 530 Guidance to Recipients and

<sup>&</sup>lt;sup>b</sup> Canine costs include but are not limited to veterinary, housing, and feeding costs

<sup>&</sup>lt;sup>c</sup> One type of allowable training is training specific to the detection of common explosives odors

<sup>&</sup>lt;sup>d</sup> Equipment and other costs can include but are not limited to explosives detection; stainless steel search tables; consumables such as gloves, swabs, and alcohol; and land mobile radios

Subrecipients of FEMA's Non-Disaster Preparedness Grants Policy on Prohibited and Controlled Equipment Policy Recission.

Unless otherwise noted, equipment must be certified as meeting required regulatory and FEMA-adopted standards to be eligible for purchase using program funds. Equipment must comply with the Occupational Safety and Health Act requirement for certification of electrical equipment by a nationally recognized testing laboratory and demonstrate compliance with relevant FEMA-adopted standards through a supplier's declaration of conformity with appropriate supporting data and documentation per International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) 17050, Parts One and Two. Agencies must have all necessary certifications and licenses for the requested equipment, as appropriate, before its purchase. DHS adopted standards are found at <a href="DHS Implementation Statement Regarding Standard Terms">DHS Implementation Statement Regarding Standard Terms and Conditions for Research Grants | Homeland Security.</a>

In addition, recipients that are using TSGP funds to support emergency communications equipment activities must comply with the <u>SAFECOM Guidance on Emergency</u> <u>Communications Grants</u>, including provisions on technical standards that ensure and enhance interoperable communications. For more information about SAFECOM, see the <u>Preparedness</u> Grants Manual.

## b. Requirements for Small Unmanned Aircraft Systems

For information on sUAS allowability, please see the **Preparedness Grants Manual**.

## c. Cybersecurity Projects

Program funds may be used for projects that enhance the cybersecurity of:

- 1. Access controls, sensors, security cameras, badge/ID readers, ICS/SCADA systems, process monitors and controls (such as firewalls, network segmentation, predictive security cloud, etc.); and
- 2. Passenger/vehicle/cargo security screening equipment (cybersecurity assessments are allowable).

When requesting funds for cybersecurity, applicants are encouraged to propose projects that would aid in implementation of all or part of the <u>Framework for Improving Critical Infrastructure Cybersecurity, Version 1.1</u> (the "Framework") developed by the National Institute of Standards and Technology (NIST). The Framework gathers existing international standards and practices to help organizations understand, communicate, and manage their cyber risks. For organizations that do not know where to start with developing a cybersecurity program, the Framework provides initial guidance. For organizations with more advanced practices, the Framework offers a way to improve their programs, such as better communication with their leadership and suppliers about management of cyber risks.

DHS's Enhanced Cybersecurity Services (ECS) program is an example of a resource that assists in protecting U.S.-based public and private entities and combines key elements of capabilities under the "Detect" and "Protect" functions to deliver an impactful solution relative to the outcomes of the Cybersecurity Framework.

Specifically, ECS offers intrusion prevention and analysis services that help U.S.-based companies and SLTT governments defend their computer systems against unauthorized access, exploitation, and data exfiltration. ECS works by sourcing timely, actionable cyber threat indicators from sensitive and classified Government Furnished Information (GFI). DHS then shares those indicators with accredited Commercial Service Providers (CSPs). Those CSPs in turn use the indicators to block certain types of malicious traffic from entering a company's networks. Groups interested in subscribing to ECS must contract directly with a CSP to receive services. Please visit <a href="http://www.cisa.gov/enhanced-cybersecurity-services-ecs">http://www.cisa.gov/enhanced-cybersecurity-services-ecs</a> for a current list of ECS CSP points of contact.

## d. Capital (Construction) Projects Guidance

See the <u>Preparedness Grants Manual</u> for more information about TSGP Capital (Construction) Projects Guidance.

#### **D.** Training and Awareness Campaigns

# a. Training

Program funds may be used for the following training activities:

- 1. **Training Topics.** Priority topics include active shooter training, security training for employees, and public awareness/preparedness campaigns.
- 2. **Training Workshops**. Grant funds may be used to plan and conduct training workshops to include costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel, and training plan development. Recipients are strongly encouraged to use free public space/locations/facilities, whenever available, prior to the rental of space/locations/facilities. Training should provide the opportunity to demonstrate and validate skills learned, as well as to identify any gaps in these skills. Any training or training gaps, including those for children and individuals with disabilities or other access and functional needs, should be identified in an After-Action Report/Improvement Plan (AAR/IP) and addressed in the training cycle.
- 3. Hiring of Full or Part-Time Staff or Contractors/Consultants. Full or part-time staff or contractors/consultants may be hired to support training-related activities. Hiring of contractors/consultants must follow the applicable federal procurement requirements at 2 C.F.R. §§ 200.317-200.327. Reimbursement of these costs should conform with the policies of the state or local unit§ of government or the awarding agency, whichever is applicable. Such costs must be included within the funding allowed for program management personnel expenses, which must not exceed 10% of the total allocation. Dual compensation is unallowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government and from an award for a single period of time (e.g., 1:00 p.m. to 5:00 p.m.), even though such work may benefit both activities. Personnel hiring, overtime, and backfill expenses are permitted under this grant only to the extent that such expenses are for the allowable activities within the scope of the grant.
- 4. **Overtime and Backfill Costs.** The entire amount of overtime costs, including payments related to backfilling personnel, that are the direct result of attendance at FEMA and approved training courses and programs are allowable. Reimbursement of these costs should follow the policies of the state or local u§(s) of government or the awarding agency, whichever is applicable. In no case is dual compensation allowable.

- 5. **Travel.** Domestic travel costs (e.g., airfare, mileage, per diem, and hotel) are allowable as expenses by employees who are on travel status for official business related, approved training, subject to the restrictions at 2 C.F.R. Part 200. International travel is not an allowable expense.
- 6. **Supplies.** Supplies, items that are expended or consumed during the course of the planning and conduct of the training projects (s) (e.g., gloves and non-sterile masks), are allowable expenses.
- 7. **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 are allowable expenses. Training should provide the opportunity to demonstrate and validate skills learned, as well as to identify any gaps in these skills. Any training or training gaps, including those for children and individuals with disabilities or other access and functional needs, should be identified in the AAR/IP and addressed in the training cycle.

Recipients are encouraged to use existing training rather than developing new courses. When developing new courses, recipients are encouraged to apply the Analysis, Design, Development, Implementation, and Evaluation (ADDIE) model of instruction design. Information on FEMA-approved training can found at <a href="http://www.firstrespondertraining.gov/">http://www.firstrespondertraining.gov/</a>.

### b. Awareness Campaigns

Program funds may be used for the development and implementation of awareness campaigns to raise public awareness of indicators of terrorism and terrorism-related crime and for associated efforts to increase the sharing of information with public and private sector partners, including nonprofit organizations. DHS currently sponsors or supports a number of awareness campaigns. Please review materials, strategies, and resources at <a href="https://www.dhs.gov/dhs-campaigns">https://www.dhs.gov/dhs-campaigns</a> before embarking on the development of an awareness campaign for local constituencies and stakeholders.

Note: DHS requires that all public and private sector partners wanting to implement and/or expand the DHS "If You See Something, Say Something®" campaign ("campaign") using grant funds work directly with the DHS Office of Partnership and Engagement (OPE). This will help ensure that the awareness materials (e.g., videos, posters, trifolds, etc.) remain consistent with DHS's messaging and strategy for the campaign and compliant with the initiative's trademark, which is licensed to DHS by the New York Metropolitan Transportation Authority. Coordination with OPE, through the campaign's office (seesay@hq.dhs.gov), must be facilitated by the FEMA HQ Preparedness Officer.

#### E. Exercises

Program funds may be used for the following exercise activities:

1. **Funds Used to Design, Develop, Conduct and Evaluate an Exercise.** This includes costs related to planning, meeting space, and other meeting costs, facilitation costs, materials and supplies, travel, and documentation. Exercises afford organizations the opportunity to validate plans and procedures, evaluate capabilities, and assess progress toward meeting capability targets in a controlled, low risk setting. Any shortcoming or gap identified, including those for children and individuals with disabilities or other

- access and functional needs, should be identified in an effective corrective action program that includes development of improvement plans that are dynamic documents, with corrective actions continually monitored and implemented as part of improving preparedness through the exercise cycle.
- 2. **Hiring of Full or Part-Time Staff or Contractors/Consultants.** Full or part-time staff may be hired to support exercise-related activities. In order to be eligible for reimbursement, the costs for hiring staff must conform to the policies of the non-federal entity and federal statutes, where applicable. *See*, e.g., 2 C.F.R. § 200.430(a). The costs for hiring contractors or consultants must comply with the applicable federal procurement standards at 2 C.F.R. §§ 200.317 200.327. The costs for hiring staff, consultants, or contractors to support exercise-related activities costs must be included within the funding allowed for program management personnel expenses, which must not exceed 10% of the total allocation. Dual compensation is never allowable, meaning, in other words, that an employee of a unit of government may not receive compensation from their unit or agency of government and from an award for a single period of time (e.g., 1:00 p.m. to 5:00 p.m.), even though their work may benefit both entities. Personnel hiring, overtime, and backfill expenses are permitted under this grant only to the extent that such expenses are for the allowable activities within the scope of the grant.
- 3. Overtime and Backfill Costs. The entire amount of overtime costs, including payments related to backfilling personnel, which are the direct result of time spent on 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§ of local government and has the approval of the state or the awarding agency, whichever is applicable. Dual compensation is never allowable.
- 4. **Travel.** Domestic travel costs are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of exercise projects, subject to the restrictions at 2 C.F.R. Part 200. International travel is not an allowable expense.
- 5. **Supplies.** Supplies are items that are expended or consumed during the course of the planning and conduct of the exercise projects (e.g., gloves, non-sterile masks, and disposable protective equipment).
- 6. **Other Items.** These costs include the rental of space/locations for exercise planning and executing, rental of equipment, etc. Recipients are encouraged to use free public space/locations/facilities, whenever available, prior to the rental of space/locations/facilities. These also include costs that may be associated with inclusive practices and the provision of reasonable accommodations and modifications to provide full access for children and adults with disabilities.

#### **F.** Construction and Renovation

Construction and renovation costs to address items included in a security assessment or a security plan and that are in accordance with 6 U.S.C. § 1135(b)(1) are allowed under this program. For construction costs to be allowed, they must be specifically approved by DHS/FEMA in writing prior to the use of any program funds for construction or renovation. Additionally, recipients are required to submit a SF-424C Budget and budget detail citing the project costs. All proposed construction and renovation activities must undergo an Environmental Planning and Historic Preservation (EHP) review, including approval of the

review from FEMA, prior to undertaking any action related to the project. Failure of a grant recipient to meet these requirements may jeopardize Federal funding. See the <u>Preparedness</u> Grants Manual for additional information.

# G. Backfill, Overtime, and Hiring

Backfill, overtime, and hiring costs are allowed under this program only as described in this NOFO.

### H. Travel

Domestic travel costs are allowed under this program as described in this NOFO. International travel is not an allowable cost under this program unless approved in advance by DHS/FEMA.

#### I. Maintenance and Sustainment

Maintenance and sustainment related costs are allowed under this program only as described in this NOFO and the <u>Preparedness Grants Manual</u>.

### J. Authorized Use of Contractual Grant Writers and/or Grant Managers

A grant applicant may procure the services of a contractor to provide support and assistance for pre-award grant development services (grant writing) or post-award grant management and administrative services (grant management). As with all federal grant-funded procurements, grant writer or grant management services must be procured in accordance with the federal procurement standards at 2 C.F.R. §§ 200.317 – 200.327. Please see the Preparedness Grants Manual for additional information regarding procurement integrity, particularly the sections applicable to non-state entities that discuss organizational conflicts of interest under 2 C.F.R. § 200.319(b) and traditional conflicts of interest under 2 C.F.R. § 200.318(c)(1). States must follow the same policies and procedures it uses for procurements of its non-federal funds, pursuant to 2 C.F.R. § 200.317, which also applies 2 C.F.R. §§ 200.321, 200.322, 200.323, and 200.327.

As applicable to non-state entities, DHS/FEMA considers a contracted grant writer to be an agent of the recipient for any subsequent contracts the recipient procures under the same federal award in which the grant writer provided grant writing services. Federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of such specifications unless the original contract was properly procured and included both grant writing and grant management services in the solicitation's scope of work.

As applicable to all non-federal entities, regardless of whether an applicant or recipient uses grant writing and/or grant management services, the recipient is solely responsible for the fiscal and programmatic integrity of the grant and its authorized activities and expenditures. The recipient must ensure adequate internal controls, including separation of duties, to safeguard grant assets, processes, and documentation, in keeping with the terms and conditions of its award, including this NOFO, and 2 C.F.R. Part 200.

#### a. Grant Writers

Grant writing contractors may assist the applicant in a variety of ways, including preparing, writing, and finalizing grant application materials and assisting the applicant with handling online application and submission requirements in FEMA GO. Ultimately, however, the applicant that receives an award is solely responsible for all grant award and administrative responsibilities.

By submitting the application, applicants certify that all of the information contained therein is true and an accurate reflection of the organization and that regardless of the applicant's intent, the submission of information that is false or misleading may result in actions by DHS/FEMA. These actions include, but are not limited to, the submitted application not being considered for award, temporary withholding of funding under the existing award pending investigation, or referral to the DHS Office of Inspector General. To assist applicants with the cost of grant writing services, DHS/FEMA is permitting a one-time pre-award cost of no more than \$1,500 per applicant per year for contractual grant writing services as part of the recipient's M&A costs.

This is only intended to cover costs associated with a grant writer and may not be used to reimburse an applicant for its own time and effort in the development of a grant application. Additionally, an applicant may be required to pay this fee with its own funds during the application preparation and submission period; if the applicant subsequently receives an award, it may then request to be reimbursed once grant funds become available for that cost, not to exceed \$1,500. If an applicant does not receive an award, this cost will not be reimbursed by the Federal Government. Applicants must understand this risk and be able to cover this cost if an award is not made.

If an applicant intends to request reimbursement for this one-time pre-award cost, it must include this request in its application materials, including in the Budget Detail Worksheet for each IJ. Failure to clearly identify this as a separate cost in the application may result in its disallowance. This is the only pre-award cost eligible for reimbursement. Recipients must maintain grant writer fee documentation including, but not limited to: a copy of the solicitation, such as a quote request, rate request, invitation to bid, or request for proposals, if applicable; a copy of the grant writer's contract agreement; a copy of the invoice or purchase order; and a copy of the canceled check or proof of payment. These records must be made available to DHS/FEMA upon request.

Consultants or contractors are not permitted to be the AOR or SA of the recipient. Further, an application must be officially submitted by 1) a current employee, personnel, official, staff, or leadership of the non-federal entity; and 2) duly authorized to apply for an award on behalf of the non-federal entity at the time of application.

## b. Grant Managers

Grant management contractors provide support in the day-to-day management of an active grant and their services may be incurred as M&A costs of the award. Additionally, recipients may retain grant management contractors at their own expense.

Consultants or contractors are not permitted to be the AOR or SA of the recipient. The AOR, or Authorized Official, is responsible for submitting programmatic and financial performance reports, accepting award packages, signing assurances and certifications, and submitting award amendments.

# c. Restrictions Regarding Grant Writers and Grant Managers

Pursuant to 2 C.F.R. Part 180, recipients may not use federal grant funds to reimburse any entity, including a grant writer or preparer, if that entity is presently suspended or debarred by the Federal Government from receiving funding under federally funded grants or contracts. Recipients must verify that a contractor is not suspended or debarred from participating in specified federal procurement or non-procurement transactions pursuant to 2 C.F.R. § 180.300. FEMA recommends recipients use SAM.gov to conduct this verification. Further, regardless of whether any grant writer fees were requested, as applicable to non-state entities, unless a single contract covering both pre- and post-award services was awarded to the grant writer and procured in compliance with 2 C.F.R. §§ 200.317 – 200.327, federal funds cannot be used to pay the grant writer to provide post-award services.