



U.S. DEPARTMENT OF HOMELAND SECURITY

FISCAL YEAR 2010

BUFFER ZONE PROTECTION PROGRAM

GUIDANCE AND APPLICATION KIT

DECEMBER 2009



U.S. DEPARTMENT OF HOMELAND SECURITY

Title of Opportunity: FY 2010 Buffer Zone Protection Program (BZPP)

Funding Opportunity Number: DHS-10-GPD-078-000-01

Federal Agency Name: U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA)

Announcement Type: Initial

Dates: Completed applications must be submitted **no later than 11:59 p.m. EST, February 12, 2010.**

Additional overview information:

- **Maintenance and Sustainment.** The use of FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active and future grant awards, unless otherwise noted. Please refer to “Maintenance and Sustainment” in this kit for more information.

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PART I.

FUNDING OPPORTUNITY DESCRIPTION

The Buffer Zone Protection Program (BZPP) is one of several grant programs that constitute the Department of Homeland Security (DHS) Fiscal Year (FY) 2010 focus on infrastructure security activities. The BZPP is one tool among a comprehensive set of measures authorized by Congress and implemented by the Administration to help strengthen the nation's critical infrastructure against risks associated with potential terrorist attacks. The FY 2010 BZPP is authorized by the *Department of Homeland Security Appropriations Act, 2010* (Public Law 111-83).

The vast majority of America's critical infrastructure is owned and/or operated by State, local and private sector partners. The funds provided by the BZPP are provided to increase the preparedness capabilities of jurisdictions responsible for the safety and security of communities surrounding high-priority critical infrastructure and key resource (CIKR) assets through allowable planning and equipment acquisition.

The purpose of this package is to provide: (1) an overview of the BZPP and (2) the formal grant guidance and application materials needed to apply for funding under the program. Also included is an explanation of DHS management requirements for implementation of a successful application.

Federal Investment Strategy

The BZPP is an important part of the Administration's larger, coordinated effort to strengthen homeland security preparedness, including the security of America's CIKR. The BZPP implements objectives addressed in a series of post 9/11 laws, strategy documents, plans and Homeland Security Presidential Directives (HSPDs). Of particular significance are the National Preparedness Guidelines and its associated work products, including the National Infrastructure Protection Plan (NIPP) and the Sector-Specific Plans (SSPs) located at <http://www.dhs.gov/nipp>. The National Preparedness Guidelines are an all-hazards vision regarding the nation's four core preparedness objectives: prevent, protect, respond to, and recover from terrorist attacks and catastrophic natural disasters.

The National Preparedness Guidelines define a vision of what to accomplish and a set of tools to forge a unified national consensus about what to do and how to work together at the Federal, State, local, and tribal levels. Private sector participation is integral to the Guidelines' success.¹ The Guidelines outline 15 scenarios of terrorist attacks or national disasters that form the basis of much of the Federal exercise and training regime. In addition, they identify some 37 critical capabilities that DHS is making the focus of key investments with State, local and tribal partners.

¹ The National Preparedness Guidelines and its supporting documents were published in September 2007. For purposes of aligning applications under the BZPP, applicants can rely on the finalized Guidelines, available at: <http://www.fema.gov/pdf/government/npg.pdf>.

The NIPP Base Plan provides guidance to assist States in building and sustaining a statewide CIKR protection program. State governments must continue to develop and implement a statewide and regional CIKR protection program as a component of their overarching homeland security program. This includes the necessary processes to implement the NIPP risk management framework at the State and/or regional level, including Urban Areas. More information can be found at: <http://www.dhs.gov/nipp>.

DHS expects its critical infrastructure partners to be familiar with this Federal preparedness architecture and to incorporate elements of this architecture into their planning, operations, and investment to the degree practicable. Our funding priorities outlined in this document reflect National Preparedness Guidelines priority investments, as appropriate.

BZPP Funding Priorities

The FY 2010 BZPP provides funds to increase the preparedness capabilities of jurisdictions responsible for the safety and security of communities surrounding high-priority CIKR assets through planning and equipment acquisition.

The BZPP assists responsible jurisdictions² in building effective prevention and protection capabilities that will make it more difficult for terrorists to conduct site surveillance or launch attacks within the immediate vicinity of selected CIKR assets. These capabilities are enumerated in Buffer Zone Plans (BZPs) that assist in:

- Identifying significant assets at the site(s) that may be targeted by terrorists for attack
- Identifying specific threats and vulnerabilities associated with the site(s) and its significant assets
- Developing an appropriate buffer zone extending outward from the facility in which preventive and protective measures can be employed to make it more difficult for terrorists to conduct site surveillance or launch attacks
- Identifying all applicable law enforcement jurisdictions and other Federal, State, and local agencies having a role in the prevention of, protection against, and response to terrorist threats or attacks specific to the CIKR site(s) and appropriate points of contact (POCs) within these organizations
- Evaluating the capabilities of the responsible jurisdictions with respect to planning for terrorism prevention and protection
- Identifying specific planning, and equipment, training, and/or exercise requirements that better enable responsible jurisdictions to mitigate threats and vulnerabilities of the site(s) and its buffer zone

² As used throughout this solicitation and regarding FY 2010 BZPP guidance, the term “responsible jurisdiction” shall refer to the primary agency, whether a State, local, or tribal entity or unit of government, as determined/approved by the State, that has authority over and around the identified CIKR facility, including the site’s adjacent grounds and/or structures.

In developing and implementing the BZPs, security and preparedness officials at all levels should seek opportunities to coordinate and leverage funding from multiple sources, including Federal, State, and local resources.

FY 2010 BZPP funds should be coordinated with appropriate State POCs to support the development and implementation of a statewide/regional CIKR protection program, as described above. In addition, DHS is encouraging State and local jurisdictions to consider the following activities as priorities under the FY 2010 BZPP.

- 1. Coordination of Operational Activities with Public and Private Sector Partners.** DHS encourages that projects funded through the FY 2010 BZPP support coordination and direct interaction with private sector safety and security partners at the identified BZPP site. Examples include signing memoranda of understanding (MOUs) to allow facility security managers access to video camera surveillance feeds from cameras purchased through the BZPP.
- 2. Coordination of Operational and Situational Awareness Activities with Fusion Centers and/or Emergency Operation Centers (EOCs).** DHS encourages projects funded through the FY 2010 BZPP to support the coordination and direct interaction with State, regional, and/or Urban Area fusion centers, and/or EOCs located in the region of the identified BZPP site. Examples include allowing fusion centers and/or EOCs access to video camera surveillance feeds resulting from cameras purchased through the BZPP or ensuring the jurisdiction responsible for the BZPP site has an identified liaison officer responsible for coordinating with and reporting suspicious activity to the fusion center.
- 3. Multidisciplinary Involvement and Cooperation.** DHS encourages that projects funded through the FY 2010 BZPP support coordination and involvement of multidisciplinary partners in the development and implementation of preventive and protective measures, including emergency management and response, law enforcement, fire, public works, and public health personnel.
- 4. Strengthening IED Attack Prevention and Protection Capabilities.** DHS encourages that projects funded through the FY 2010 BZPP work to enhance capabilities to prevent and protect against terrorist use of Improvised Explosive Devices (IEDs). This priority supports the policy outlined in Homeland Security Presidential Directive 19 “Combating Terrorist Use of Explosives in the United States” (HSPD-19) by emphasizing the need for State and local jurisdictions to take an aggressive, coordinated, and proactive approach to reducing the threat of a terrorist explosive attack. Examples include planning activities to implement multi-jurisdiction IED security plans or equipment that enhances the capabilities of bomb squads that serve the facility to diagnose and defeat IEDs.
- 5. Integration of Constellation/Automated Critical Asset Management System (C/ACAMS) and the DHS CIKR Taxonomy in CIKR collection, storage/catalog, and reporting information technology (IT) solutions, databases, and**

processes. DHS encourages those State and local jurisdictions leveraging IT solutions in support of CIKR assessments and the development of BZPP documents, including the BZP and Vulnerability Reduction Purchasing Plan (VRPP), to ensure these systems collect, store, categorize, and report CIKR information in accordance with the DHS CIKR Taxonomy, which is located at <https://portal.hsin.gov>. Additional information on C/ACAMS is also available at <http://www.dhs.gov/acams>.

PART II.

AWARD INFORMATION

Authorizing Statutes

Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83) and the *Homeland Security Act of 2002* (6 U.S.C. §101 *et seq.*)

Period of Performance

The period of performance of this grant is 36 months. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications as to why an extension is required.

Available Funding

In FY 2010, the total amount of funds distributed under the BZPP will be \$48,000,000. This year's BZPP analysis builds upon the program plan and methodology in place last year. *Tier 1* and *Tier 2* assets have been prioritized, and funds are being systematically applied to address the list of assets supported by the BZPP. Based upon the results of DHS prioritization work with State and local stakeholders and partners, States, territories, and the District of Columbia are eligible to participate in, and receive funding under, the FY 2010 BZPP. The available funding is summarized in Table 1. The specific sites and their locations are sensitive and DHS has directly contacted each State with information regarding the identity and location, as well as funding amounts of the selected high-risk sites in their area.

Table 1. FY 2010 BZPP Funding Allocations

FY 2010 Buffer Zone Protection Program (BZPP) Funding Allocations			
State/Territory	Allocation	State/Territory	Allocation
Alabama	\$200,000	Michigan	\$1,300,000
Alaska	\$200,000	Minnesota	\$400,000
Arizona	\$600,000	Mississippi	\$200,000
California	\$5,200,000	Missouri	\$300,000
Colorado	\$400,000	Montana	\$200,000
Connecticut	\$400,000	Nebraska	\$600,000
Delaware	\$400,000	Nevada	\$2,300,000
District of Columbia	\$1,600,000	New Hampshire	\$200,000
Florida	\$2,400,000	New Jersey	\$1,200,000
Georgia	\$2,300,000	New York	\$1,700,000
Guam	\$200,000	North Carolina	\$200,000
Hawaii	\$400,000	Ohio	\$1,200,000
Illinois	\$2,600,000	Oklahoma	\$200,000
Indiana	\$1,000,000	Pennsylvania	\$1,600,000
Iowa	\$200,000	South Carolina	\$200,000
Kansas	\$600,000	Tennessee	\$1,000,000
Kentucky	\$700,000	Texas	\$6,900,000
Louisiana	\$1,400,000	Virginia	\$600,000
Maine	\$200,000	Washington	\$2,500,000
Maryland	\$800,000	West Virginia	\$1,500,000
Massachusetts	\$1,900,000		
Total			\$48,000,000

PART III.

ELIGIBILITY INFORMATION

A. Eligible Applicants

39 States, Guam, and the District of Columbia are eligible to apply for FY 2010 BZPP funds.

National Incident Management System (NIMS) Implementation Compliance

In accordance with Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, the adoption of the NIMS is a requirement to receive Federal preparedness assistance, through grants, contracts, and other activities. The NIMS provides a consistent nationwide template to enable all levels of government, tribal nations, nongovernmental organizations, and private sector partners to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity.

Federal FY 2009 NIMS implementation must be considered prior to allocation of any Federal preparedness awards in FY 2010. In April 2009, the National Integration Center Incident Management Systems Integration (IMSI) Division advised State, tribal nation, and local governments to respond to metric assessments in the NIMS Compliance Assistance Support Tool (NIMSCAST) to assess on-going progress and achievement.³ The list of objectives against which progress and achievement are assessed and reported can be found at

<http://www.fema.gov/emergency/nims/ImplementationGuidanceStakeholders.shtm#item2>.

All State, tribal nation, and local government grantees were required to update their respective NIMSCAST assessments by September 30, 2009. State, tribal, and local grantees unable to meet implementation objectives were required to submit a Corrective Action Plan via NIMSCAST no later than October 31, 2009. Comprehensive information concerning NIMS implementation for States, tribal nations, local governments, nongovernmental organizations, and the private sector is available through IMSI via its NIMS Resource Center at www.fema.gov/nims.

States, tribal nations, and local governments should continue to implement the training guidance contained in the *5-Year NIMS Training Plan*, released in February 2008.

The primary grantee/administrator of FY 2010 BZPP award funds is responsible for determining if sub-awardees have demonstrated sufficient progress to disburse awards.

³ As defined in the *Homeland Security Act of 2002* (Public Law 107-296), the term "State" means "any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States" 6 U.S.C. 101 (14).

State Preparedness Report Submittal

Section 652(c) of the *Post-Katrina Emergency Management Reform Act of 2006* (Public Law 109-295), 6 U.S.C. §752(c), requires any State that receives Federal preparedness assistance to submit a State Preparedness Report to DHS. FEMA will provide additional guidance on the FY 2009 State Preparedness Report submission. **Receipt of this report is a prerequisite for applicants to receive any FY 2010 DHS preparedness grant funding.**

Additional Information

The risk methodology for the FY 2010 BZPP is consistent across the infrastructure security activities and is linked to the risk methodology used to determine eligibility for the core DHS State and local grant programs. By leveraging information collected through State data calls and Federal Sector Specific Agency (SSA) input, DHS has made substantial gains in the accuracy of data incorporated into its analyses to yield a better understanding of the relative risk to specific CIKR sites. This improvement provides DHS with the ability to focus the allocation of BZPP resources to those jurisdictions with high risk sites.

Based on risk, all BZPP sites have been selected prior to the grant announcement. Therefore, FY 2010 BZPP funding allocated to any given State or territory is entirely a function of the number, type, and character of pre-identified higher-risk sites within their respective jurisdictions; there are no discretionary sites. Several States have high-risk sites that are close in proximity to one another. DHS will work closely with these States and provide supplemental guidance for these strategic projects within the FY 2010 BZPP timelines to ensure coordinated planning⁴.

Through the FY 2010 BZPP, DHS continues to build on its cross-sector baseline knowledge of CIKR and the systematic approach initiated in FY 2006 to focus sufficient resources to reduce the risk associated with the highest priority CIKR assets across certain targeted sectors. These include:

- High profile hotels
- High occupancy stadiums and arenas
- Large retail facilities
- Office buildings exceeding 850 feet
- Highest consequence chemical facilities
- High consequence liquefied natural gas facilities and oil refineries
- Centers for Disease Control Tier 2 stockpile repositories
- Biohazard Safety Level-3 facilities
- High risk international and suspension bridges

⁴ In the course of reducing vulnerabilities for sites specifically identified by DHS in the 2010 BZPP, if a State has any residual grant funding remaining from the allocation provided upon completion of all necessary activities to develop and implement a BZP at the DHS selected site(s), the State may submit a justification to reallocate the residual funds to an alternative Tier 1 or 2 CIKR site to DHS for approval.

- Critical water/wastewater systems

Characterization of CIKR Tiers

DHS has established a set of consequence thresholds to identify sites that are considered CIKR *Tier 1* assets, and thus eligible for higher funding levels. To be considered CIKR *Tier 1*, the asset or system must be documented to have the potential, if successfully destroyed or disrupted through terrorist attack, to cause major national or regional impacts. These include combinations of the following characteristics:

- Nationally significant loss of life
- Severe cascading economic impacts
- Mass evacuations with relocation for an extended period of time
- Impact to a city, region, or sector of the economy due to contamination, destruction, or disruption of vital services to the public
- Severe national security impacts

DHS worked with the Sector Specific Agencies (SSAs) to establish sector-by-sector criteria for CIKR *Tier 2* to identify and prioritize CIKR assets within their sectors. DHS worked with States to identify assets that met these criteria. Sites nominated by the States through this process were subsequently validated by the Federal SSAs. CIKR sites that may otherwise meet the criteria identified above, but are not being addressed through the FY 2010 BZPP, include:

- Sites that have successfully enhanced their prevention and protection posture by reducing their exposure to the risk of a terrorist attack through prior BZPP grant funding
- Sites eligible for funding through other FEMA Grants and Assistance Programs that more directly addresses risks associated with the specific site

This year's BZPP analysis builds upon the program plan and methodology in place last year. *Tier 1* and *Tier 2* assets have been prioritized based on risk, and funds are being systematically applied to address the list of assets supported by the BZPP. The specific sites and their locations are sensitive. DHS has directly contacted each State with information regarding the identity and location, as well as funding amounts, of the selected high-risk sites in their area.

Note: FY 2010 BZPP materials and site lists may not be distributed to anyone outside those entities working in an official capacity to manage, develop, and implement the BZPP at the identified sites. All BZPP generated materials must also be clearly labeled and distributed according to the requirements listed in the FY 2010 BZPP Guidance and Application Kit.

B. Restrictions

Please see Part IV.E. for Management & Administration (M&A) limits and allowable/unallowable costs guidance.

PART IV.
**APPLICATION AND SUBMISSION
INFORMATION**

A. Address to Request Application Package

All applications for DHS grants will be filed using the common electronic “storefront” – www.grants.gov. To access application forms and instructions, select “Apply for Grants,” and then select “Download Application Package.” Enter the Catalog of Federal Domestic Assistance (CFDA) and/or the funding opportunity number located on the cover of this announcement. Select “Download Application Package,” and then follow the prompts to download the application package. To download the instructions, go to “Download Application Package” and select “Instructions.” If you experience difficulties or have any questions, please call the www.grants.gov customer support hotline at (800) 518-4726.

DHS may request original signatures on forms at a later date.

B. Content and Form of Application

The on-line application must be completed and submitted using www.grants.gov after Central Contractor Registry (CCR) registration is confirmed. The on-line application includes the following required forms and submissions:

- Standard Form 424, Application for Federal Assistance
- Standard Form 424A, Budget Information
- Standard Form 424B, Assurances
- Lobbying Form – Certification Regarding Lobbying (this form must be completed by all grant applicants)
- Standard Form LLL, Disclosure of Lobbying Activities (if the grantee has engaged or intends to engage in lobbying activities)
- Certification Regarding Debarment, Suspension, and Other Responsibility Matters
- Certification Regarding Drug-Free Workplace Requirements

The program title listed in the Catalog of Federal Domestic Assistance (CFDA) is “*Buffer Zone Protection Program*.” The CFDA number is **97.078**.

1. **Application via www.grants.gov.** All applicants must file their applications using the Administration’s common electronic “storefront” - www.grants.gov. Eligible

grantees must apply for funding through this portal, accessible on the Internet at www.grants.gov.

2. **Dun and Bradstreet Data Universal Numbering System (DUNS) number.** The applicant must provide a DUNS number with their application. This number is a required field within www.grants.gov and for CCR Registration. Organizations should verify that they have a DUNS number, or take the steps necessary to obtain one, as soon as possible. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS number request line at (866) 705-5711.
3. **Valid CCR Registration.** The application process also involves an updated and current registration by the applicant. Eligible applicants must confirm CCR registration at <http://www.ccr.gov>, as well as apply for funding through www.grants.gov.
4. **Buffer Zone Plans (BZPs) and Vulnerability Reduction Purchasing Plans (VRPPs).** The Office of Infrastructure Protection (IP), Protective Security Coordination Division (PSCD) provides a range of support to BZPP grantees and subgrantees. The PSCD can provide a federally guided vulnerability assessment team to assist in the development of the BZP. BZP workshops, which train law enforcement and other homeland security personnel on the BZP development process, are also available to support grantee and subgrantee jurisdictions.

While conducting a BZP assessment with DHS assistance, a Site Assistance Visit (SAV) will also be conducted, when possible. The purpose of conducting a SAV in coordination with the BZP assessment is to provide the CIKR owner and operator with a comprehensive facility report. This coordinated process reduces the need to revisit a site for a more detailed assessment, thus reducing the impact on owner/operators and on State and local homeland security personnel. Additionally, conducting these assessments simultaneously will provide a more thorough BZP and SAV report for the State, local, and private sector partners in support of coordinated prevention and protection efforts of CIKR.

- The responsible jurisdiction is required to notify and include their Protective Security Advisor (PSA) in the BZP assessment. The PSA will coordinate Federal resources to ensure the appropriate level of support and/or resources are available during the BZP workshop and/or assessment.
- Site vulnerability and jurisdiction capability assessments are critical elements of the BZPP process. The responsible jurisdiction is expected to evaluate their relevant prevention and protection capabilities in accordance with the Target Capabilities List (TCL), and conduct, or leverage, existing vulnerability assessments of the specific CIKR site, including the zone outside the perimeter of the potential target. The assessment process must include coordination with security management, where possible, and consideration of security and safety measures already in place at the facility.

- The responsible jurisdiction is required to share these assessments with DHS, upon request, so that DHS may better prioritize preventive and protective programs, as they may be relevant to emerging and specific threats.
- Upon completion of these assessments, the responsible jurisdiction must complete the BZP template in coordination with the State for each identified CIKR site. Additionally, the development of the BZP must be coordinated with PSAs and should be coordinated with the following entities, as applicable:
 - Urban Area Working Groups (UAWGs)
 - Area Maritime Security Committees (AMSCs)
 - Regional Transit Security Working Groups (RTSWGs)
 - Sector Specific Agencies (SSAs) information on the SSAs is located at: http://www.dhs.gov/xlibrary/assets/NIPP_SectorOverview.pdf
- The BZP template serves as a useful tool that can be integrated to support CIKR protection program planning efforts across all sectors. The BZP will assist in identifying preventive and protective measures necessary to protect the CIKR site, mitigate vulnerabilities, and/or close capability gaps. This BZP includes a description of required planning, equipment, training, and exercises necessary to address identified vulnerabilities and/or capability gaps.
- Upon completion of the BZP, the jurisdiction must complete a VRPP. The VRPP identifies a spending plan, including the planning activities and equipment necessary to implement the BZP. If multiple sites are identified in a single VRPP, the responsible jurisdiction should ensure that requested equipment is available to support the implementation of preventive and protective measures for all identified sites in the VRPP, as appropriate and applicable. For more information on assessments or the assessment process, please contact: ipassessments@dhs.gov

BZPP Coordination Requirements

Use of FY 2010 BZPP funds must be consistent with the State and/or Urban Area Homeland Security Strategy. Therefore, the BZP and VRPP must be coordinated between the SAA and State Homeland Security Advisor (HSA), as well as any applicable State strategy planning teams, UAWGs, RTSWGs, and/or AMSCs, as applicable.

1. **State Coordination.** Upon completion of the BZP and VRPP, the responsible jurisdiction must submit the BZP and VRPP to the SAA (in coordination with the HSA) to accomplish:
 - Coordination of the BZPP with State Homeland Security Strategies, priorities, and programs;
 - Coordination with related HSGP and other grant funding; and,

- Certification that the BZP and VRPP supports and/or compliments: a) Statewide efforts to develop a CIKR protection program and implement CIKR protection capabilities, as directed in the NIPP, and b) the implementation of the NIPP as a national priority, as reflected within each respective State's Homeland Security Strategy.
2. **Private Sector Coordination.** CIKR assets are largely privately-owned and operated. Enhancing public/private partnerships will leverage private sector initiatives, resources, and capabilities, as permitted by applicable laws and regulations.
 3. **Urban Area Working Group (UAWG) Coordination.** Each identified Urban Areas Security Initiative (UASI) geographical area is governed by an UAWG. The UAWG is composed of multidiscipline and multijurisdictional representatives and is responsible for coordinating the development and implementation of all UASI program initiatives, Urban Area Homeland Security Strategy, and any direct services that are delivered by DHS. The responsible jurisdiction must coordinate the development and implementation of the BZP and VRPP with any UAWGs, as applicable to the geographic area, to ensure all programs, plans, and requested resources are leveraged across the region.
 4. **Protective Security Advisor (PSA) Coordination.** DHS has deployed PSAs in major metropolitan areas throughout the country to assist State and local efforts to identify and protect CIKR sites and to ensure national risk assessments are better informed through State and local input. PSAs implement DHS' mission to protect CIKR by fostering improved coordination at the State and local level through their support for national CIKR protection-related programs. The responsible jurisdiction must coordinate with and include their PSA in the assessment of CIKR identified for BZPP funding to ensure necessary resources are made available for the development of the BZP.

Submission of the BZP and VRPP

- The responsible jurisdiction must provide the completed BZP and VRPP to the SAA. This will ensure the coordination of BZPP implementation with existing State and/or Urban Area Homeland Security Strategies and programs, implementation of the NIPP, and related HSGP and CIKR protection program funding.
- The SAA, in coordination with the HSA, must certify that each BZP and the requested resources/activities in the associated VRPP support and/or complement:
 - Statewide efforts to develop, implement, and/or operate a CIKR protection program and associated capabilities, as directed in the NIPP
 - The implementation of the NIPP national priority, as reflected within each respective State's Homeland Security Strategy.

These certifications and concurrences **must** be comprehensively detailed by the SAA within the SAA section of the VRPP.

- If requesting Protected Critical Infrastructure Information (PCII) protection, the SAA must complete the Express and Certification Statements located within the BZP. The templates **must** remain in their original format if PCII protection is requested (i.e., Excel and Word) unless the documents are submitted using the Automated Critical Asset Management System (ACAMS) tool. The only Adobe PDF submissions that will be accepted will be those generated in ACAMS. Any submissions utilizing the ACAMS tool should always be submitted in the Adobe PDF format. If PCII protection is not requested, the Express and Certification statements **must** be removed from the BZP template prior to submission.

The BZPs and VRPPs must be submitted electronically via the Buffer Zone Protection Program Community of Interest (COI) in the DHS Homeland Security Information Network (HSIN) at <http://www.hsin.gov>.

- The SAA must submit the BZP and VRPP for each site into the individual FY 2010 State folder provided for DHS approval by **November 30, 2010**. **If States fail to submit all BZPP materials by this date, the requirements of the grant have not been met, and necessary steps may be taken by DHS to deobligate funds.**
- Each applicant/grantee/subgrantee must access HSIN through a membership held by a trusted representative who submits the required information on behalf of the applicant/grantee. Initially, the representative will have one of the following: no HSIN membership, membership in a HSIN COI other than the specified COI, or HSIN membership in the specified Community of Interest (COI).

In the first case (no membership), the representative will need to obtain a HSIN account by emailing the following information to HSIN.HelpDesk@dhs.gov:

1. Individual's name
2. Individual's work e-mail address
3. Work telephone number
4. Agency/Organization Name
5. The name of the specified community.

The HSIN Help Desk will contact the COI Owner to initiate the member nomination and validation process. The employing organization will be contacted to validate the applicant's information. Upon approval, an email will be sent to the applicant asking them to complete the registration process on HSIN.

If the representative is a member of an existing user community within HSIN, but is not a member of the specified COI, the member can log into HSIN and use the 'Request Access' feature in the Directory. Alternatively, the representative can

search in HSIN for the administrator of the specified COI and request membership by directly contacting the COI administrator.

Once the representative has an active HSIN account, information can be uploaded and shared with the appropriate COI according to program-specific Grant Guidance that will be communicated by the program through the COI administrator.

- The certified BZPs and VRPPs will be reviewed by DHS to ensure that BZPP programmatic and planning activities and requested equipment are allowable and coordinated with overall Statewide CIKR protection efforts and related strategic goals and objectives.
- Upon review and written approval of the BZPs and VRPPs by DHS, the SAA will be notified and the responsible jurisdiction(s) may drawdown and expend grant funds awarded to the SAA for implementation of the BZP.
- If the BZP and/or VRPP are incomplete or do not meet program requirements, the SAA may be requested to re-submit program materials or provide additional information. All resubmissions **must** contain updated and complete versions of **both** the BZP and VRPP and appropriately identify if PCII protection is requested. **Any submissions that fail to follow any of the guidelines above will neither be accepted nor reviewed.**
- Once a BZP and VRPP have been approved and the State receives the approval letter from FEMA's Grant Programs Directorate (GPD), the State will need to download the final PCII approved BZP/VRPP from the HISN portal. This will ensure that the all parties have the PCII protected documents and pursuant to State law, States should destroy any non-PCII marked working drafts.
- All email correspondence between the grantee and DHS related to the application, submission, approval, and/or revision of BZPs and VRPPs **must** courtesy copy the BZPP@dhs.gov email address. **The actual BZPs and VRPPs themselves should never be sent via email.**
- Funds under the FY 2010 BZPP may not be obligated, drawn down, or disbursed by the State to the responsible jurisdiction of the identified site until all of the above steps have been completed by the jurisdiction and approved by DHS.

C. Submission Dates and Times

Application submissions will be received by **11:59 p.m. EST, on February 12, 2010**. Only applications made through www.grants.gov will be accepted.

The SAA must submit the BZP and VRPP for each site to DHS for approval by **November 30, 2010**. **If States fail to submit all BZPP materials by this date or**

requirements of the grant have not been met, necessary steps may be taken by DHS to deobligate funds.

D. Intergovernmental Review

Executive Order 12372 requires applicants from State and local units of government or other organizations providing services within a State to submit a copy of the application to the State Single Point of Contact (SPOC), if one exists, and if this program has been selected for review by the State. Applicants must contact their State SPOC to determine if the program has been selected for State review. Executive Order 12372 can be referenced at <http://www.archives.gov/federal-register/codification/executive-order/12372.html>. The names and addresses of the SPOCs are listed on OMB's home page available at <http://www.whitehouse.gov/omb/grants/spoc.html>.

E. Funding Restrictions

DHS grant funds may only be used for the purpose set forth in the grant, and must be consistent with the statutory authority for the award. Grant funds may not be used for matching funds for other Federal grants/cooperative agreements, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, Federal funds may not be used to sue the Federal government or any other government entity.

Pre-award costs are allowable only with the written consent of DHS and if they are included in the award agreement.

The applicable SAAs will be responsible for administration of the FY 2010 BZPP. In administering the program, the SAA must work with eligible applicants to comply with the following general requirements:

- 1. Management and Administration (M&A) limits.** A maximum of five percent (5%) of funds awarded may be retained by the State, and any funds retained are to be used solely for management and administrative purposes associated with the BZPP award.

The following M&A costs are allowable only within the period of performance of the grant program:

- Hiring of full-time or part-time staff or contractors/consultants:
 - To assist with the management and/or administration of the FY 2010 BZPP.
 - To assist with the coordination and implementation requirements of the FY 2010 BZPP.
- Hiring of full-time or part-time staff or contractors/consultants and expenses related to:

- Meeting compliance with reporting and data collection requirements, including data call requests.
- FY 2010 BZPP pre-application submission management activities and application requirements.
- Travel expenses:
 - Travel costs (e.g. airfare, mileage per diem, or hotels) are allowable as expenses by employees who are on travel status for official business related to FY 2010 BZPP.
- Meeting-related expenses:
 - Costs of meetings and conference where the primary purpose is the dissemination of technical information related to FY 2010 BZPP are allowable. These expenses include costs of meals, transportation, rental of facilities, speakers' fee, and other items incidental to such meetings or conferences.
- Other allowable M&A expenses:
 - Acquisition of authorized office equipment, including personal computers, laptop computers, printers, LCD projectors, and other equipment or software which may be required to support the implementation of the BZP or VRPP.
 - Recurring fees/charges associated with certain equipment, such as cell phones, faxes, etc.
 - Leasing and/or renting of space for newly hired personnel to administer the FY 2010 BZPP.

2. Allowable Costs. FY 2010 BZPP allowable costs are divided into the following categories:

- Planning
- Equipment acquisition

This section provides guidance on the types of expenditures that are allowable under the FY 2010 BZPP. Grantees are encouraged to contact their FEMA Program Analyst regarding authorized and unauthorized expenditures.

Planning

Planning activities are central to the implementation of the FY 2010 BZPP, which is designed as a planning tool to integrate the efforts of local agencies and their private sector partners. Accordingly, responsible jurisdictions may use BZPP programmatic funds to support multidiscipline prevention and protection-focused planning activities specific to the selected facility. However, the priority should continue to be on mitigating equipment and resource shortfalls identified in the development of the BZPP. Grantees should also confer with their State and local homeland security partners to determine

additional funding source opportunities for planning-related purposes (such as FEMA's Homeland Security Grant Program).

FY 2010 BZPP funds may be used for a range of homeland security and CIKR protection planning activities, such as:

- **Developing and implementing homeland security and CIKR support programs and adopting DHS national initiatives limited to the following:**
 - Implementing the National Preparedness Guidelines, as they relate to implementation of the NIPP and Sector-Specific Plans (SSPs).
 - Building or enhancing preventive radiological and nuclear detection programs.
 - Establishing or enhancing mutual aid agreements or MOUs to ensure cooperation with respect to CIKR protection.
 - Developing communications, interoperability protocols, and solutions with the BZPP site.
 - Developing or enhancing radiological and nuclear alarm resolution reachback relationships across local, State, and Federal partners.
 - Developing or updating resource inventory in accordance to typed resource definitions issued by the National Integration Center (NIC).
 - Designing State and local geospatial data systems.

- **Developing related terrorism prevention and protection programs including:**
 - Planning to enhance preventive detection capabilities, security and population evacuation in the vicinity of specified CIKR during heightened alerts, advanced warning of a possible terrorist incident, and/or to support mitigation efforts.
 - Multi-discipline preparation and integration across the homeland security community.
 - Developing and planning for information/intelligence sharing groups and/or fusion centers.
 - Developing and implementing liaison officer programs to share CIKR information with fusion centers and/or intelligence units.
 - Acquiring systems allowing connectivity to Federal data networks, such as the National Crime Information Center (NCIC) and Integrated Automated Fingerprint Identification System (IAFIS), as appropriate.

- **Developing and enhancing plans and protocols, limited to:**
 - Emergency Operating Plans (EOPs) and operating procedures.
 - Terrorism prevention/deterrence plans.
 - Cyber security plans.
 - Cyber risk mitigation plans.
 - Public/private sector partnership emergency response, assessment, and resource sharing plans.
 - Local or regional communications plans.
 - Plans to support and assist special needs jurisdictions, such as port authorities, rail, and mass transit agencies.

The VRPP must clearly show how any funds identified for planning activities support the implementation of prevention and protection capabilities of the responsible jurisdiction, as they are related to the identified CIKR site(s).

Equipment

FY 2010 BZPP funds may be used for the following categories of equipment. A comprehensive listing of allowable equipment categories and types is found on the web-based Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB) at <https://www.rkb.us>. Unless otherwise stated, equipment must meet all mandatory regulatory and/or DHS-adopted standards to be eligible for purchase using these funds. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

Table 2. BZPP Allowable Equipment Categories

#	Category Title
[2]	Explosive Device Mitigation and Remediation Equipment
[3]	CBRNE Operational Search and Rescue Equipment ⁵
[4]	Information Technology
[5]	Cyber Security Enhancement Equipment
[6]	Interoperable Communications Equipment
[7]	Detection Equipment
[10]	Power Equipment
[13]	Terrorism Incident Prevention Equipment
[14]	Physical Security Enhancement Equipment
[15]	Inspection and Screening Systems
[16]	Agricultural Terrorism Prevention, Response, and Mitigation Equipment
[20FP]	Intervention Equipment - Equipment, Fingerprint Processing, and Identification ⁵

Requests for equipment to support Explosive Device Response Operations must indicate within the Notes section of the VRPP the name of the FBI accredited bomb squad or prospective bomb squad that is undergoing the accreditation process that will be receiving and utilizing the requested equipment.

Other specialized equipment not listed within the BZPP AEL categories may be requested by the responsible jurisdiction, as approved by the State. The responsible jurisdiction must provide a justification describing and/or identifying all of the following to their FEMA Program Analyst, who, in consultation with IP, will review the request.

- The reason the equipment is requested.
- The target capabilities, per the TCL, the request will support and/or enhance.

⁵ Only select sub-categories within AEL Category 3 and 20 are eligible for FY 2010 BZPP funding. These sections include: 3OE-02, 3OE-07, 03SR-03-LSTN, 03OE-03-LTPA, 03OE-04-LTHH, 03OE-04-LTHE, 03SR-03-SCAM, 03SR-05, 03WA-01-PROP, 03WA-01-ULHH, 03WA-01-ULIT, 03WA-01-UWMD, 03WA-02-SONR, and 20FP.

- How other grant funding has been considered, or may be applied, to support the request.
- How the requested equipment will support the development and/or implementation of prevention and/or protection capabilities, per the TCL, within the responsible jurisdiction, as identified by the BZP.
- How the equipment will directly address a threat, vulnerability, and/or consequence directly related to the identified FY 2010 BZPP site and its responsible jurisdiction, as identified by the BZP (i.e., PPE for a jurisdiction responsible for a chemical facility or watercraft for a dam).
- Address a specific threat, vulnerability, and/or consequence directly related to a heightened alert period, as related to the site and/or its sector.

States that are using FY 2010 BZPP funds to purchase Interoperable Communications Equipment (Category 6) must consult SAFECOM's coordinated grant guidance which outlines standards and equipment information to enhance interoperable communications. This guidance can be found at <http://www.safecomprogram.gov>. Additionally, grantees are required to coordinate with other State and local partners in integrating their interoperable communications plans and projects as outlined in each State's Statewide Communication Interoperability Plan."

3. Other Allowable Costs – Maintenance and Sustainment

The use of FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active and future grant awards, unless otherwise noted. Grantees are reminded to be sensitive to supplanting issues. Maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees previously purchased with State and or local funds cannot be replaced with Federal grant funding. Routine upkeep (i.e. gasoline, tire replacement, routine oil changes, monthly inspections, grounds and facility maintenance etc.) is the responsibility of the grantee and may not be funded with preparedness grant funding.

- **Maintenance Contracts and Warranties.** To increase the useful life of the equipment, maintenance contracts and warranties may be purchased using grant funding from one fiscal year (FY) to cover equipment purchased with funding from a different fiscal year. The use of grant funding for the purchase of maintenance contracts and warranties must meet the following conditions:
 - Maintenance contracts and warranties may only be purchased for equipment that has been purchased using FEMA preparedness grant funding.
 - To avoid supplementing Congressional appropriations for specific programs, maintenance contracts and warranties must be purchased using funds from the same grant program used to purchase the original equipment.
 - The term of the maintenance contract or warranty shall not exceed the period of performance of the grant to which the contract is being charged.

- **Repair and Replacement Costs.** The cost of repair and replacement parts for equipment purchased using FEMA preparedness grant funding is an allowable expense.
 - Repair and replacement parts may only be purchased for equipment that has been purchased using FEMA preparedness grant funding.
 - To avoid supplementing Congressional appropriations for specific programs, repair and replacement parts must be purchased using the same grant program used to purchase the original equipment.

- **Upgrades.** FEMA preparedness grant funding may be used to upgrade previously purchased allowable equipment. For example, if the grantee purchased risk management software with HSGP funds in FY 2005 and would like to use FY 2010 grant funding to upgrade the software, this is allowable.
 - Upgrades may only be purchased for equipment that has been purchased using FEMA preparedness grant funding.
 - To avoid supplementing Congressional appropriations for specific programs, upgrades must be purchased using the same grant program used to purchase the original equipment.

- **User fees.** User fees are viewed as costs for specific services required to maintain and provide continued operation of equipment or systems. An example would be the recurring service fees associated with handheld radios or mobile data computers.
 - User fees may only be paid for equipment that has been purchased using FEMA preparedness grant funding.
 - To avoid supplementing Congressional appropriations for specific programs, user fees must be paid for using the same grant program used to purchase the original equipment. The service time purchased shall not exceed the period of performance of the grant to which the user fee is being charged.

- **Implementation.** Planned or actual expenditures for maintenance contracts and warranties, repair and replacement costs, upgrades and user fees must be reflected in the Initial Strategy Implementation Plan (ISIP) or Biannual Strategy Implementation Report (BSIR).

Grantees must comply with all the requirements in 44 CFR Part 13 and 2 CFR Part 215.

4. Unallowable Costs. The following projects and costs are considered **ineligible** for award consideration:

- **Hiring of Public Safety Personnel.** FY 2010 BZPP funds may not be used to support the hiring of sworn public safety officers for the purposes of fulfilling traditional public safety duties or to supplant traditional public safety positions and responsibilities.

- **Construction.** Construction is prohibited under the FY 2010 BZPP.

- **General-use Expenditures.** Expenditures for items such as general-use software (word processing, spreadsheet, graphics, etc), general-use computers and related equipment (other than for allowable M&A activities, or otherwise associated preparedness functions), general-use vehicles, and licensing fees.
- **Weapons.** Weapons, weapons systems and accessories, and ammunition are prohibited.
- **Federal Improvement.** Funds may not be used for the improvement of Federal buildings or for other activities that solely benefit the Federal government. However, if an identified FY 2010 BZPP site is a Federal facility, the FY 2010 BZPP funds may be used by the jurisdiction(s) responsible for the safety and security of the community surrounding the site to support the implementation of preventive and protective measures in the buffer zone surrounding that site.
- **Overtime and Backfill.** Funds may not be used to support overtime and backfill costs associated with implementation of FY 2010 BZPP activities.
- **Training and Exercise Activities.** Any training or exercise requirements identified through BZPP may not be funded with FY 2010 BZPP funds, but may be funded through other overarching homeland security grant programs (e.g., State Homeland Security Program and Urban Areas Security Initiative) in accordance with their stipulated authorized expenditures.

Additionally, the following initiatives and costs are considered **ineligible** for award consideration:

- Initiatives that do not address the implementation of programs/initiatives to build prevention and protection-focused capabilities directed at identified facilities and/or the surrounding communities
- The development of risk/vulnerability assessment models
- Initiatives that fund risk or vulnerability security assessments or the development of BZPs and/or VRPPs
- Initiatives in which Federal agencies are the beneficiary or that enhance Federal property
- Initiatives which study technology development
- Proof-of-concept initiatives
- Initiatives that duplicate capabilities being provided by the Federal government
- Operating expenses

- Reimbursement of pre-award security expenses
- Other indirect costs

Any other activities unrelated to the implementation of the FY 2010 BZPP, items not in accordance with the AEL, or previously identified as ineligible within this guidance, are not an allowable cost.

F. Other Submission Requirements

Federal employees are prohibited from serving in any capacity (paid or unpaid) on any proposal submitted under this program. Federal employees may not receive funds under this award.

PART V.

APPLICATION REVIEW INFORMATION

A. Review Criteria

This section summarizes the core process and priorities used to assess applications under the FY 2010 BZPP. The FY 2010 BZPP used risk-based formula funding consistent with FEMA policy outlined in this guidance document. Each applicant's final funding allocation is determined through the use of risk analyses.

Applications will be evaluated through a Federal review process for completeness, adherence to programmatic guidelines, feasibility, and how well the proposed VRPP expenditures address the identified need(s), vulnerabilities, or capability shortfall(s). The VRPP requires narrative on overall strategic alignment with State Homeland Security Strategies and the NIPP, impact and sustainability, and support for the national priorities and target capabilities. These criteria will be used to evaluate the anticipated effectiveness of all proposed expenditures.

B. Review and Selection Process

The following process will be used to provide final approval to BZP and VRPPs submitted under the FY 2010 BZPP:

- FEMA will verify compliance with all administrative and eligibility criteria identified in the application kit.
- IP will provide a technical review via subject matter expert to ensure all of the identified need(s), vulnerabilities, or capability shortfall(s) have been addressed.
- FEMA will evaluate the narrative provided within the VRPP for overall strategic alignment with State Homeland Security Strategies and the NIPP, impact and sustainability, support for the national priorities and target capabilities, and equipment allowability.

C. Anticipated Announcement and Award Dates

FEMA will evaluate and act on applications within 60 days following close of the application period, consistent with the *Department of Homeland Security Appropriations Act, 2010* (Public Law 111-83). Awards will be made on or before September 30, 2010.

PART VI.

AWARD ADMINISTRATION INFORMATION

A. Notice of Award

Upon approval of an application, the grant will be awarded to the SAA. The date that this is done is the “award date.” Notification of award approval is made through the Grants Management System (GMS). Once an award has been approved, a notice is sent to the authorized SAA grantee official. Follow the directions in the notification to accept your award documents. The authorized SAA grantee official should carefully read the award and special condition documents. If you do not receive a notification, please contact your FEMA Program Analyst for your award number. Once you have the award number, contact the GMS Help Desk at (888) 549-9901, option three, to obtain the username and password associated with the new award.

The period of performance is 36 months and begins on the Project Period/Budget Period start date listed in the award package. Any unobligated funds will be de-obligated at the end of the close-out period. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required. All extension requests must be submitted to FEMA at least 60 days prior to the expiration of the grant period of performance. The justification must address:

- Reason for delay;
- Current status of the activity/activities;
- Approved period of performance termination date and new project completion date;
- Remaining available funds, both Federal and non-Federal;
- Budget outlining how remaining Federal and non-Federal funds will be expended;
- Plan for completion including milestones and timeframe for achieving each milestone and the position/person responsible for implementing the plan for completion; and
- Certification that the activity/activities will be completed within the extended period of performance without any modification to the original Statement of Work approved by FEMA.

B. Administrative and National Policy Requirements

The recipient and any sub-recipient(s) must, in addition to the assurances made as part of the application, comply and require each of its subcontractors employed in the completion of the project to comply with all applicable statutes, regulations, executive orders, OMB circulars, terms and conditions of the award, and the approved application.

1. Standard Financial Requirements. The grantee and any subgrantee(s) shall comply with all applicable laws and regulations. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:

1.1 – Administrative Requirements.

- 44 CFR Part 13, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*
- 2 CFR Part 215, *Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations* (formerly OMB Circular A-110)

1.2 – Cost Principles.

- 2 CFR Part 225, *Cost Principles for State, Local, and Indian tribal Governments* (formerly OMB Circular A-87)
- 2 CFR Part 220, *Cost Principles for Educational Institutions* (formerly OMB Circular A-21)
- 2 CFR Part 230, *Cost Principles for Non-Profit Organizations* (formerly OMB Circular A-122)
- Federal Acquisition Regulations (FAR), Part 31.2 *Contract Cost Principles and Procedures, Contracts with Commercial Organizations*

1.3 – Audit Requirements.

- OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*

1.4 – Duplication of Benefits. There may not be a duplication of any Federal assistance, per 2 CFR Part 225, Basic Guidelines Section C.3 (c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Authority may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons. However, this prohibition would not preclude governmental units from shifting costs that are allowable under two or more awards in accordance with existing program agreements. Non-governmental entities are also subject to this prohibition per 2 CFR Parts 220 and 230 and FAR Part 31.2.

2. Payment. DHS/FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to Recipients. To enroll in the DD/EFT, the Recipient must complete a Standard Form 1199A, Direct Deposit Form.

FEMA uses the FEMA Payment and Reporting System (PARS) for payments made under this program, <https://isource.fema.gov/sf269/> (Note: link connects to Federal Financial Report [SF-425]).

2.1 – Advance Payment. In accordance with Treasury regulations at 31 CFR Part 205, the Recipient shall maintain procedures to minimize the time elapsing

between the transfer of funds and the disbursement of said funds (see 44 CFR Part 13.21(c)) regarding payment of interest earned on advances. In order to request an advance, the Recipient must maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of funds from DHS and expenditure and disbursement by the Recipient. When these requirements are not met, the Recipient will be required to be on a reimbursement for costs incurred method.

2.2 – Forms. In order to download the Standard Form 1199A, the Recipient may use the following Internet site: <http://www.fms.treas.gov/eft/1199a.pdf>.

NOTE: FUNDS WILL NOT BE AUTOMATICALLY TRANSFERRED UPON ISSUANCE OF THE GRANT. GRANTEEES MUST SUBMIT A REQUEST FOR ADVANCE/REIMBURSEMENT IN ORDER FOR THE FUNDS TO BE TRANSFERRED TO THE GRANTEE’S ACCOUNT.

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

4. Technology Requirements.

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

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

4.3 – 28 CFR Part 23 Guidance. FEMA requires that any information technology system funded or supported by these funds comply with 28 CFR Part 23, *Criminal Intelligence Systems Operating Policies*, if this regulation is determined to be applicable.

4.4 – Best Practices for Government Use of Closed Circuit Television (CCTV). DHS recommends that grantees seeking funds to purchase and install CCTV systems, or funds to provide support for operational CCTV systems, review and utilize the guidance in *Best Practices for Government Use of CCTV: Implementing the Fair Information Practice Principles* available on the DHS

Privacy Office website at
http://www.dhs.gov/xlibrary/assets/privacy/privacy_rpt_cctv_2007.pdf.

5. Administrative Requirements.

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

5.2 – Protected Critical Infrastructure Information (PCII). The PCII Program, established pursuant to the *Critical Infrastructure Act of 2002* (Public Law 107-296) (CII Act), created a framework which enables members of the private sector, States, local jurisdictions, and tribal nations to voluntarily submit sensitive information regarding critical infrastructure to DHS. The Act provides statutory protection from public disclosure and civil litigation for CII that is validated as PCII. When validated as PCII, the information can only be shared with government employees who complete the training requirement, who have homeland security duties, and a need to know.

PCII accreditation is a formal recognition that the covered government entity has the capacity and capability to receive and store PCII appropriately. DHS encourages all States, local jurisdictions, and tribal nations to pursue PCII accreditation to cover their government agencies. Accreditation activities include signing a memorandum of agreement (MOA) with DHS, appointing a PCII Officer and developing a standard operating procedure for handling PCII. For additional information about PCII or the accreditation process, please contact the DHS PCII Program Office at pcii-info@dhs.gov.

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

- *Title VI of the Civil Rights Act of 1964*, as amended, 42 U.S.C. §2000 et. seq. – Provides that no person on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with Limited English Proficiency (LEP). (42 U.S.C. §2000d et seq.)
- *Title IX of the Education Amendments of 1972*, as amended, 20 U.S.C. §1681 et. seq. – Provides that no person, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance.
- *Section 504 of the Rehabilitation Act of 1973*, as amended, 29 U.S.C. §794 – Provides that no otherwise qualified individual with a disability in the United States, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or subject to discrimination in any program or activity receiving Federal financial assistance.
- *The Age Discrimination Act of 1975*, as amended, 20 U.S.C. §6101 et. seq. – Provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

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

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

5.5 – Certifications and Assurances. Certifications and assurances regarding the following apply:

- *Lobbying.* 31 U.S.C. §1352, *Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions* – Prohibits the use of Federal funds in lobbying members and employees of Congress, as well as employees of Federal agencies, with respect to the award or amendment of any Federal grant, cooperative agreement, contract, or loan. FEMA and DHS have codified restrictions upon lobbying at 44 CFR Part 18 and 6 CFR Part 9. (Refer to form included in application package.)
- *Drug-free Workplace Act*, as amended, 41 U.S.C. §701 et seq. – Requires the recipient to publish a statement about its drug-free workplace program and give a copy of the statement to each employee (including consultants and temporary personnel) who will be involved in award-supported activities at any site where these activities will be carried out. Also, place(s) where work is being performed under the award (i.e., street address, city, state and zip code) must be maintained on file. The recipient must notify the Grants Officer of any employee convicted of a violation of a criminal drug statute that occurs in the workplace. For additional information, see 44 CFR Part 17.
- *Debarment and Suspension* – Executive Orders 12549 and 12689 provide protection from fraud, waste, and abuse by debarring or suspending those persons that deal in an irresponsible manner with the Federal government. The recipient must certify that they are not debarred or suspended from receiving Federal assistance. For additional information, see 44 CFR Part 17.
- *Federal Debt Status* – The recipient may not be delinquent in the repayment of any Federal debt. Examples of relevant debt include delinquent payroll or other taxes, audit disallowances, and benefit overpayments. (OMB Circular A-129) (Refer to SF 424, item number 17.)
- *Hotel and Motel Fire Safety Act of 1990* – In accordance with section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds, complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, 15 U.S.C. §2225.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes.

5.6 – Integrating Individuals With Disabilities Into Emergency Planning.

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

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

- **Comprehensive Preparedness Guide 301 (CPG-301): Interim Emergency Management Planning Guide for Special Needs Populations.** CPG-301 is designed to aid tribal, State, territorial, and local governments in planning for individuals with special needs. CPG-301 outlines special needs considerations for: Developing Informed Plans; Assessments and Registries; Emergency Public Information/Communication; Sheltering and Mass Care; Evacuation; Transportation; Human Services/Medical Management; Congregate Settings; Recovery; and Training and Exercises. CPG-301 is available at <http://www.fema.gov/pdf/media/2008/301.pdf>.
- **Guidelines for Accommodating Individuals with Disabilities in Disaster.** The Guidelines synthesize the array of existing accessibility requirements into a user friendly tool for use by response and recovery personnel in the field. The Guidelines are available at <http://www.fema.gov/oer/reference/>.
- **Disability and Emergency Preparedness Resource Center.** A web-based “Resource Center” that includes dozens of technical assistance materials to assist emergency managers in planning and response efforts related to people with disabilities. The “Resource Center” is available at <http://www.disabilitypreparedness.gov>.
- **Lessons Learned Information Sharing (LLIS) resource page on Emergency Planning for Persons with Disabilities and Special Needs.** A true one-stop resource shop for planners at all levels of government, non-governmental organizations, and private sector entities, the resource page provides more than 250 documents, including lessons learned, plans,

procedures, policies, and guidance, on how to include citizens with disabilities and other special needs in all phases of the emergency management cycle.

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

5.7 – Environmental Planning and Historic Preservation (EHP) Compliance.

FEMA is required to consider the potential impacts to the human and natural environment of projects proposed for FEMA grant funding. FEMA, through its EHP Program, engages in a review process to ensure that FEMA-funded activities comply with various Federal laws including: *National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, the Clean Water Act, and Executive Orders on Floodplains (11988), Wetlands (11990), and Environmental Justice (12898)*. The goal of these compliance requirements is to protect our Nation's water, air, coastal, wildlife, agricultural, historical, and cultural resources, as well as to minimize potential adverse effects to low-income and minority populations.

The grantee shall provide all relevant information to FEMA's Grant Programs Directorate (GPD) to ensure compliance with applicable Federal EHP requirements. Any project with the potential to impact natural or biological resources or historic properties cannot be initiated until FEMA has completed the required EHP review. In addition to a detailed project description that describes what is to be done with the grant funds, how it will be done, and where it will be done, grantees shall provide detailed information about the project (where applicable), including, but not limited to, the following:

- Project location (i.e., exact street address or map coordinates)
- Total extent of ground disturbance and vegetation clearing
- Extent of modification of existing structures
- Construction equipment to be used, staging areas, etc.
- Year that any affected buildings or structures were built
- Natural, biological, and/or cultural resources present within the project area and vicinity, including wetlands, floodplains, geologic resources, threatened or endangered species, or National Register of Historic Places listed or eligible properties, etc.
- Visual documentation such as good quality, color and labeled site and facility photographs, project plans, aerial photos, maps, etc.
- Alternative ways considered to implement the project (not applicable to procurement of mobile and portable equipment)

For projects that have the potential to impact sensitive resources, FEMA must consult with other Federal, State, and tribal agencies such as the U.S. Fish and Wildlife Service, State Historic Preservation Offices, and the U.S. Army Corps of Engineers, as well as other agencies and organizations responsible for the protection and/or management of natural and cultural resources, including Federally-recognized Indian tribes, Tribal Historic Preservation Offices, and the Department of the Interior, Bureau of Indian Affairs. For projects with the potential to have adverse effects on the environment and/or historic properties, FEMA's EHP review process and consultation may result in a substantive agreement between the involved parties outlining how the grantee will avoid the effects, minimize the effects, or, if necessary, compensate for the effects. Grantees who are proposing communication tower projects are encouraged to complete their Federal Communications Commission (FCC) EHP process prior to preparing their EHP review materials for GPD, and to include their FCC EHP materials with their submission to GPD. Completing the FCC process first and submitting all relevant EHP documentation to GPD will help expedite FEMA's review.

Because of the potential for adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period. Grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts. Grantees may use grant funds toward the costs of preparing such documents. The use of grant funds for mitigation or treatment measures that are not typically allowable expenses will be considered on a case-by-case basis. Failure of the grantee to meet Federal, State, local, and territorial EHP requirements, obtain required permits, and comply with any conditions that may be placed on the project as the result of FEMA's EHP review may jeopardize Federal funding.

Recipients shall not undertake any project without the prior approval of GPD, and must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project description will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify their GPD Program Analyst, and the appropriate State Historic Preservation Office. Any projects that have been initiated prior to approval will result in a non-compliance finding and will not be eligible for funding.

For more information on FEMA's EHP requirements, SAAs should refer to FEMA's Information Bulletin #329, *Environmental Planning and Historic Preservation Requirements for Grants*, available at

<http://www.fema.gov/pdf/government/grant/bulletins/info329.pdf>. Additional information and resources can also be found at <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm>.

5.8 – Royalty-free License. Applicants are advised that FEMA reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (a) the copyright in any work developed under an award or sub-award; and (b) any rights of copyright to which an award recipient or sub-recipient purchases ownership with Federal support. Award recipients must agree to consult with FEMA regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

5.9 – FEMA GPD Publications Statement. Applicants are advised that all publications created with funding under any grant award shall prominently contain the following statement: "This document was prepared under a grant from the Federal Emergency Management Agency's Grant Programs Directorate (FEMA/GPD) within the U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA/GPD or the U.S. Department of Homeland Security."

5.10 – Equipment Marking. Awardees may consider marking equipment in the following manner, "Purchased with funds provided by the U.S. Department of Homeland Security," in order to facilitate their own audit processes, as well as Federal audits and monitoring visits, which may result from receiving Federal funding. Equipment maintenance requirements are outlined in 44 CFR Part 13.32.

5.11 – Disadvantaged Business Requirement. Applicants are advised that, to the extent that recipients of a grant use contractors or subcontractors, such recipients shall use small, minority, women-owned or disadvantaged business concerns and contractors or subcontractors to the extent practicable.

5.12 – National Preparedness Reporting Compliance. *The Government Performance and Results Act of 1993* (Public Law 103-62) (GPRA) requires that the Department collect and report performance information on all programs. For grant programs, the prioritized Investment Justifications and their associated milestones provide an important tool for assessing grant performance and complying with these national preparedness reporting requirements. FEMA will work with grantees to develop tools and processes to support this requirement. FEMA anticipates using this information to inform future-year grant program funding decisions. Award recipients must agree to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within their grant agreement.

This includes any assessments, audits, or investigations conducted by DHS, the Office of the Inspector General, or the U.S. Government Accountability Office (GAO).

C. Reporting Requirements

Reporting requirements must be met throughout the life of the grant (refer to the program guidance and the special conditions found in the award package for a full explanation of these requirements). Any reports or documents prepared as a result of this grant shall be in compliance with Federal “plain English” policies, directives, etc. Please note that PARS contains edits that will prevent access to funds if reporting requirements are not met on a timely basis.

- 1. Federal Financial Report (FFR) – required quarterly.** Obligations and expenditures must be reported on a quarterly basis through the FFR (SF-425), which is due within 30 days of the end of each calendar quarter (e.g., for the quarter ending March 31, the FFR is due no later than April 30). A report must be submitted for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund draw downs may be withheld if these reports are delinquent. The final FFR is due 90 days after the end date of the performance period.

OMB has directed that the FFR SF-425 replace the use of the SF-269, SF-269A, SF-272, and SF-272A, which are no longer available as of October 1, 2009. The SF-425 is intended to provide Federal agencies and grant recipients with a standard format and consistent reporting requirements throughout the government.

FFRs **must be filed online** through PARS.

Reporting periods and due dates:

- October 1 – December 31; *Due January 30*
- January 1 – March 31; *Due April 30*
- April 1 – June 30; *Due July 30*
- July 1 – September 30; *Due October 30*

- 2. Semi-Annual Assistance Progress Report (SAPR).** Following an award, the awardees will be responsible for providing updated obligation and expenditure information on a semi-annual basis. The applicant is responsible for completing and submitting the SAPR reports. The awardee should include a statement in the narrative field of the SAPR that reads: See BSIR

The SAPR is due within 30 days after the end of the reporting period (July 30 for the reporting period of January 1 through June 30; and January 30 for the reporting period of July 1 through December 31). Future awards and fund drawdowns may be withheld if these reports are delinquent.

SAPRs must be filed online at <https://grants.ojp.usdoj.gov>. Guidance and instructions can be found at <https://grants.ojp.usdoj.gov/gmsHelp/index.html>.

Required submission: SAPR (due semi-annually).

- 3. Initial Strategy Implementation Plan (ISIP).** Following an award, the awardees will be responsible for providing updated obligation and expenditure information to meet the pass-through requirement. The applicable SAAs are responsible for completing and submitting the ISIP online.

Required submission: ISIP (due within 45 days of the award date).

- 4. Biannual Strategy Implementation Reports (BSIR).** Following an award, the awardees will be responsible for providing updated obligation and expenditure information on a semi-annual basis. The applicable SAAs are responsible for completing and submitting the BSIR reports which is a component of the SAPR. The BSIR submission will satisfy the narrative requirement of the SAPR. SAAs are still required to submit the SAPR with a statement in the narrative field that reads: *See BSIR.*

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

Required submission: BSIR (due semi-annually).

- 5. Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of Federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with GAO's *Government Auditing Standards*, located at <http://www.gao.gov/govaud/ybk01.htm>, and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, located at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year. In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of FY 2010 BZPP assistance for audit and examination purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance. The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant.

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

- 6. Monitoring.** Grant recipients will be monitored periodically by FEMA staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Programmatic monitoring may also include the Regional Federal Preparedness Coordinators, when appropriate, to ensure consistency of project investments with regional and national goals and policies, as well as to help synchronize similar investments ongoing at the Federal, State, and local levels.

Monitoring will be accomplished through a combination of desk-based reviews and on-site monitoring visits. Monitoring will involve the review and analysis of the financial, programmatic, performance, and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

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

- 7. Grant Close-Out Process.** Within 90 days after the end of the period of performance, grantees must submit a final FFR and final SAPR detailing all accomplishments throughout the project. After these reports have been reviewed and approved by FEMA, a close-out notice will be completed to close out the grant. The notice will indicate the project as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final FFR. The grantee is responsible for returning any funds that have been drawn down but remain as unliquidated on grantee financial records.

Required submissions: (1) final SF-425, due 90 days from end of grant period; and (2) final SAPR, due 90 days from the end of the grant period.

PART VII.

FEMA CONTACTS

This section describes several resources that may help applicants in completing a FEMA grant application.

- 1. Centralized Scheduling and Information Desk (CSID).** CSID is a non-emergency comprehensive management and information resource developed by DHS for grants stakeholders. CSID 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. CSID can be reached by phone at (800) 368-6498 or by e-mail at ASKCSID@dhs.gov, Monday through Friday, 8:00 a.m. – 6:00 p.m. EST.
- 2. Homeland Security Preparedness Technical Assistance Program (HSPTAP) and Planning Support.** The HSPTAP provides direct support assistance on a first-come, first-served basis (and subject to the availability of funding) to eligible organizations to enhance their capacity and preparedness to prevent, protect against, respond to, and recover from terrorist and all hazard threats. In addition to the risk assessment assistance already being provided, FEMA also offers a variety of other direct support assistance programs.

The HSPTAP also provides access to planning support. The planning support aids jurisdictions by increasing their understanding of the complex issues faced in planning for various hazards and threats. This support includes leveraging subject-matter experts from around the country as well as enabling knowledge transfer from jurisdiction to jurisdiction.

More information can be found at http://www.fema.gov/about/divisions/pppa_ta.shtm or by e-mailing FEMA-TARequest@fema.gov or NPD-planning@dhs.gov.

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

The LLIS website also includes a national directory of homeland security officials, as well as an updated list of homeland security exercises, events, and conferences. Additionally, LLIS includes online collaboration tools, including secure email and message boards, where users can exchange information. LLIS uses strong

encryption and active site monitoring to protect all information housed on the system. The LLIS website can be found at: <http://www.LLIS.gov>.

- 4. Information Bulletins.** Information Bulletins (IBs) provide important updates, clarifications, and policy statements related to FEMA preparedness grant programs. Grantees should familiarize themselves with the relevant publications. Information Bulletins can be found at:

<http://www.fema.gov/government/grant/bulletins/index.shtm>.

- 5. Information Sharing Systems.** FEMA encourages all State, regional, local, and tribal entities using FY 2010 funding in support of information sharing and intelligence fusion and analysis centers to leverage available Federal information sharing systems, including Law Enforcement Online (LEO) and the Homeland Security Information Network (HSIN). For additional information on LEO, contact the LEO Program Office at leoprogramoffice@leo.gov or (202) 324-8833. For additional information on HSIN and available technical assistance, contact the HSIN Help Desk at (703) 674-3003.

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

- Cooperative Purchasing Program
Cooperative Purchasing, authorized by statute, allows State and local governments to purchase a variety of supplies (products) and services under specific GSA Schedule contracts to save time, money, and meet their everyday needs and missions.

The Cooperative Purchasing program allows State and local governments to purchase alarm and signal systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing, and related services off of Schedule 84 and Information Technology products and professional services off of Schedule 70 and the Consolidated Schedule (containing IT Special Item Numbers) **only**. Cooperative Purchasing for these categories is authorized under Federal law by the *Local Preparedness Acquisition Act* (Public Law 110-248) and Section 211 of the *E-Government Act of 2002* (Public Law 107-347).

Under this program, State and local governments have access to GSA Schedule contractors who have voluntarily modified their contracts to participate in the Cooperative Purchasing program. The GSA provides a definition of State and local governments as well as other vital information


under the frequently asked questions section on its website at:
<http://www.gsa.gov/cooperativepurchasing>.

- Disaster Recovery Purchasing Program

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

Products and services being purchased to facilitate recovery from one of the above listed events, may be purchased both in advance of and in the aftermath of a major disaster, as long as the products and services being purchased, will be used to facilitate recovery.

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

State and local governments can find a list of contractors on GSA's website, <http://www.gsa/library.gsa.gov>, denoted with a  or symbol.

Assistance is available from GSA on the Cooperative Purchasing and Disaster Purchasing Program at the local and national levels. For assistance at the local level, visit <http://www.gsa.gov/csd> to find a local customer service director in your area. For assistance at the national level, contact Tricia Reed at tricia.reed@gsa.gov or (571) 259-9921. More information is available on all GSA State and local programs at: www.gsa.gov/stateandlocal.