



FY 2013

Local Sub-Grantee Program Guidance

State Homeland Security Program (SHSP)

State Law Enforcement Terrorism Prevention Program (SLETPP)

**NYS Division of Homeland Security and
Emergency Services (DHSES)**

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I. Program Overview

The FY2013 Homeland Security Grant Program (HSGP), which includes the State Homeland Security Program (SHSP) and State Law Enforcement Terrorism Prevention Program (SLETPP), plays an important role in the implementation of the National Preparedness System (NPS) by supporting the building, sustainment and delivery of core capabilities essential to achieving the National Preparedness Goal (NPG) of a secure and resilient Nation. Delivering core capabilities requires the combined effort of the whole community, rather than the exclusive effort of any single organization or level of government. The FY2013 HSGP's allowable costs support efforts to build and sustain core capabilities across the Prevention, Protection, Mitigation, Response, and Recovery mission areas.

The SHSP, specifically, supports the implementation of risk driven, capabilities-based State Homeland Security Strategies to address capability targets set in Urban Area, State, and regional Threat and Hazard Identification and Risk Assessments (THIRAs). The capability levels are assessed in the State Preparedness Report (SPR) and inform planning, organization, equipment, training, and exercise needs to prevent, protect, mitigate, respond, and recover from acts of terrorism and other catastrophic events.

Examples of tangible outcomes from FY2013 HSGP include building and sustaining core capabilities through:

- Planning
- Maintenance and Sustainment
- Maturation and Enhancement of State and Major Urban Area Fusion Centers
- Building Law Enforcement Terrorism Prevention Capabilities
- Threat and Hazard Identification and Risk Assessment (THIRA) and Capability Estimation Process
- Strengthening Governance Integration
- Whole Community Approach to Security and Emergency Management
- Typing of Equipment and Training
- Innovation and Sustained Support for the National Campaign for Preparedness
- Improvements in Immediate Emergency Victim Care at Mass Casualty Events

For additional details on the NPS and NPG, please refer to Presidential Policy Directive 8 (PPD-8): http://www.dhs.gov/xabout/laws/gc_1215444247124.shtm.

The State Homeland Security Program (SHSP) and State Law Enforcement Terrorism Prevention Program (SLETPP) are core homeland security assistance programs that support the National Preparedness Goal (NPG) by providing funds to build capabilities at the State and local levels by implementing the goals and objectives included in the State Homeland Security Strategy.

Activities implemented under SHSP and SLETPP must support terrorism preparedness by sustaining, building or enhancing capabilities that relate to the prevention of, protection from, or response to terrorism in order to be considered eligible. However, many capabilities which

support terrorism preparedness simultaneously support preparedness for other hazards. Grantees and sub-grantees must demonstrate this dual-use quality for any activities implemented under the program that are not explicitly focused on terrorism preparedness.

As with FY2012 funding, the Department of Homeland Security (DHS) requires that a percentage of SHSP funding be spent on Law Enforcement Terrorism Prevention Activities (LETPA). For FY2013 funding, 25% of SHSP funding must be allocated toward the State Law Enforcement Terrorism Prevention Program (SLETPP) to meet this Federal requirement. **All SLETPP funding must be used in support of law enforcement terrorism prevention-oriented planning, organization, training, exercise, and equipment activities.**

Throughout the project period, the NYS Division of Homeland Security and Emergency Services (DHSES) will be available to assist counties in enhancing their homeland security programs. If you have any questions regarding the development of your local applications for the FY2013 HSGP grants, please contact DHSES' Grant Hotline at (866) 837-9133 or grants@dhSES.ny.gov.

II. Highlights

Local Sub-Grantee Application Process: To complete this application for FY2013 SHSP and SLETPP funds, sub-grantees should review this Local Sub-Grantee Program Guidance document. All budgetary and programmatic information must be entered on the forms provided and returned to the NYS Division of Homeland Security and Emergency Services. For 2013, sub-grantees will not be required to enter applications in the E-Grants system. Applicants will complete their applications on the provided Microsoft Excel forms.

Sub-Grantees are being required to develop applications for funding based on the anticipated receipt of grant funding from DHS. When DHSES receives the grant award from DHS, DHSES will notify sub-grantees of funding via an award letter and will include a reimbursement grant contract for local signature with the award notification. Sub-Grantees will have 90 days to return the signed contract to DHSES for processing. A failure to return the contract within 90 days may jeopardize the receipt of grant funding.

Sustainment of Capabilities: Grantees and sub-grantees may use SHSP and SLETPP funding to sustain capabilities whether or not those capabilities were developed with federal funding.

Deadline: Applications by sub-grantees are due on **June 24, 2013**. Applications must be submitted via email to the DHSES Grants Inbox at grants@dhSES.ny.gov. Applications that are not received on the due date will not be considered for funding.

Period of Performance: The period of performance for FY2013 SHSP and SLETPP funds is 24 months (anticipated period of performance from 09/1/2013-08/31/2015). It is anticipated that extensions to the period of performance will not be approved; therefore, applicants should propose projects that can be completed within a 24-month performance of period.

NIMS Implementation: All grantees and sub-grantees must ensure and maintain adoption and implementation of NIMS. Emergency management and incident response activities require

Carefully managed resources (personnel, teams, facilities, equipment and/or supplies) to meet incident needs. Utilization of the standardized resource management concepts such as typing, inventorying, and cataloguing promote a strong national mutual aid capability needed to support delivery of core capabilities. Additional information on resource management and national Tier I NIMS Resource Types can be found at <http://www.fema.gov/resource-management>. For more information on NIMS and NIMS implementation in your jurisdiction you may contact DHSES (518-242-5006; nims@dhses.ny.gov).

Drawdown of Funds/Interest: This is a reimbursement program; however, if needed, grantees may request an advance of funds. If DHSES approves such request, grantees may drawdown funds for up to 120 days prior to expenditure/disbursement. Advanced funds must be placed in an interest bearing account and grantees must account for this interest earned. Local units of government may keep interest earned on Federal grant funds up to \$100 per federal fiscal year. This maximum limit is not per award; it is inclusive of all interest earned as a result of all Federal grant program funds received per year. Interest earned in excess of \$100 must be remitted to NYS DHSES.

Notice of Waiver for FY2013 HSGP Funds: Jurisdictions may choose from the following options if they do not want to accept their FY2013 HSGP award:

1. Jurisdictions may request that the State retain the local unit of government's allocation of grant funds and spend it on their jurisdiction's behalf; or
2. Jurisdictions may refuse an allocation for their jurisdiction with the understanding that the allocation will be expended by the State of New York in direct support of other local homeland security efforts in accordance with FY2013 grant guidelines.

If your jurisdiction wishes to exercise either of the above options, please contact NYS DHSES at (866) 837-9133.

III. Directions for Completing the Application

To complete the FY2013 local application, grantees must complete the provided FY2013 Application Worksheet (Microsoft Excel spreadsheet) and electronically submit it to the Division of Homeland Security and Emergency Services at grants@dhses.ny.gov by **June 24, 2013** in order to be considered for funding.

Staff from the DHSES will enter local application materials into E-Grants on behalf of local applicants. Once the entry of grant information is complete, DHSES staff will contact the grantee's authorized point of contact to accept the certified assurances within the E-Grants system.

IV. FY2013 Federal Programmatic Guidance

Alignment of HSGP Investments to the National Preparedness System (NPS): As highlighted at the beginning of this guidance document, all project investments by grantees and sub-grantees

must align to the NPS. To support building, sustaining, and delivering of the core capabilities outlined by DHS, grantees and sub-grantees will use the components of the NPS. The components of the NPS are: Identifying and Assessing Risk; Estimating Capability Requirements; Building and Sustaining Capabilities; Planning to Deliver Capabilities; Validating Capabilities; and Reviewing and Updating. For more information on each component, read the National Preparedness System description available at <http://www.fema.gov/national-preparedness/national-preparedness-system>.

Building and Sustaining Core Capabilities: FY2013 HSGP funding focuses on the development and sustainment of the core capabilities outlined in the National Preparedness Goal (NPG), with particular emphasis on jurisdictions addressing those capabilities applicable to high consequence events that pose the greatest risk to their community. Furthermore, to allocate resources effectively, all grantees and sub-grantees must ensure they are engaging the whole community and developing plans that consider methods to reduce and manage risk, as well as, how to sustain appropriate levels of capability and address potential shortfalls in order to achieve the NPG.

Strengthening Governance Integration: DHS preparedness grant programs are intended to support the core capabilities across the five mission areas of Prevention, Protection, Mitigation, Response and Recovery that are necessary to prepare for incidents that pose the greatest risk to the Nation's security. Each program reflects the Department's intent to build and sustain an integrated network of national capabilities across all levels of government and the whole community. Disparate governance structures must be integrated and refined to ensure resources are targeted to support the most critical needs of a community based on risk driven, capabilities-based planning. Strong and inclusive governance systems better ensure that disparate funding streams are coordinated and applied for maximum impact.

DHS Programmatic Priorities: For FY2013 SHSP and SLETPP funds, DHS has identified two additional Priorities, complementing the three Priorities previous federal homeland security grant funding was provided to support.

The FY2013 SHSP and SLETPP funding plays an important role in the implementation of Presidential Policy Directive 8 (PPD-8) by supporting the development and sustainment of core capabilities. Core capabilities are essential for the execution of each of the five mission areas outlined in the *National Preparedness Goal* (NPG). The development and sustainment of these core capabilities are not exclusive to any single level of government or organization, but rather require the combined effort of the whole community. The FY 2013 HSGP supports all core capabilities in the Prevention, Protection, Mitigation, Response, and Recovery mission areas based on allowable costs.

Programmatic Priority #1—Advancing “Whole Community” Security and Emergency Management: As the country experiences threats of terrorist attacks (foreign and domestic) and natural disasters, communities are challenged to develop collective, local abilities to withstand the potential impacts of these events, respond quickly, and recover in a way that sustains or improves the community's overall well-being. Achieving this collective capacity calls for innovative approaches across the community, including emergency management to build up existing

practices, institutions, and organizations that help make local communities successful, and that can leverage this infrastructure if and when an incident occurs.

To that end, the following objectives have been identified and each is given a performance measure and associated reporting requirement to determine how effective grantees are in utilizing SHSP and UASI funding to prevent, prepare for, protect against, and respond to acts of terrorism and advance a whole community approach:

- A. Objective One- Threat and Hazard Identification and Risk Assessment (THIRA):** THIRA processes at all levels of government establish a foundation to justify and guide preparedness activities and investments. A common approach to that process will enable the whole community to maintain a baseline understanding of the risks that they face, facilitating efforts to identify capability and resource gaps, focus on capability improvements, and inform the community of actions they can take to manage their risks.

THIRA's should include the range of threats and hazards faced by an applicant. The assessment should be based on analysis of the relative consequences of the various threats and hazards with consideration of empirical data to the maximum degree possible. THIRA findings should be incorporated into each applicant's preparedness strategy, planning, Investment Justification, and assessment documentation—addressing capability gaps identified during the THIRA process.

***Note:** DHSES coordinated with all counties in New York State to develop the Statewide THIRA, by requiring counties to submit a "Hazard and Capability Survey for the THIRA" in the fall of 2012, which where used to inform the development of the THIRA reporting requirement to DHS. DHSES is required to incorporate the results of the state's THIRA in our Investment Justifications when completing our HSGP application package for submission to DHS. Local sub-grantees, likewise, should utilize their individual survey results from last fall to inform project investments when they develop their local applications to DHSES.*

- B. Objective Two- Planning:** The Comprehensive Preparedness Guide (CPG) 101 v.2 helps planners at all levels of government in their efforts to develop and maintain viable all-hazards, all-threats emergency operations plans (EOPs) by engaging the whole community in thinking through the life cycle of a potential crisis, determining required capabilities, and establishing a framework for roles and responsibilities.
- C. Objective Three- Typing of Equipment and Training:** SHSP and UASI provide funding for equipment, training, and exercises for the prevention, protection against, response to and recovery from terrorism events. A well-executed mission requires carefully managed resources (personnel, teams, facilities, equipment, and/or supplies) from the Whole Community to meet incident needs. Utilization of standardized resource management

concepts such as typing, inventorying, organizing and tracking will facilitate dispatch, deployment and recovery of resources before, during and after an incident.

- D. Objective Four- Sustaining Capabilities:** In this time of limited resources, HSGP grantees should ensure that grant funding is utilized to sustain core capabilities within the NPG that were funded with past HSGP funding cycles to include training of personnel and lifecycle replacement of equipment. New capabilities should not be built at the expense of maintaining current, essential capabilities. If new capabilities are built utilizing HSGP funding, grantees must ensure that the capabilities are able to be deployable outside of their community to support regional and national efforts. All capabilities being built or sustained must have a clear linkage to one or more core capabilities in the NPG.

Programmatic Priority #2—Building and Sustaining Law Enforcement Terrorism Prevention

Capabilities: DHS and FEMA encourages the use of SHSP and UASI funding to support programs and initiatives that directly support local efforts to understand, recognize, prepare for, prevent, and respond to pre-operational activity and other crimes that are precursors or indicators of terrorist activity, in accordance with applicable privacy and civil rights/civil liberties protections. Such activities include, but are not limited to, development and implementation of Fusion Liaison Officer Programs, the Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI), the “If You See Something, Say Something” campaign as a component of the NSI, and local efforts.

- A. Objective One- NSI Training:** All personnel funded with SHSP and UASI funding and engaged in the NSI will complete the DHS’s NSI training. FY2011-FY2013 federal guidance requires submission of a certification indicating the number of personnel involved in the NSI as well as the number of personnel who have completed the required training. The NSI is a partnership among federal, state, local, tribal and territorial law enforcement that establishes a national capacity for gathering, documenting, processing, analyzing, and sharing Suspicious Activity Reporting (SAR) information, in a manner that rigorously protects the privacy and civil liberties of Americans. All local grantees that have used grant funding to hire or support intelligence analysts are required to meet this reporting requirement.

Programmatic Priority #3—Maturation and Enhancement of State and Major Urban Area Fusion

Centers: One of the Department’s highest priorities in FY2013 remains support for recognized State and major Urban Area fusion centers and the maturation of the Information Sharing Environment (ISE). Fusion centers serve as focal points within the State and local environment for the receipt, analysis, gathering, and sharing of threat-related information between the Federal government and State, local, tribal, territorial (SLTT) and private sector partners. Building a National Network of Fusion Centers (National Network) empowers law enforcement, fire, emergency management and homeland security personnel by helping them understand local implications of national intelligence, thus enabling them to better protect their communities. A National Network also provides a mechanism for the Federal government to receive information from SLTT partners, which helps create a more complete intelligence picture at the National level.

With timely, accurate information on potential terrorist threats, fusion centers can also directly contribute to and inform investigations initiated and conducted by Federal entities, such as the Joint Terrorism Task Forces led by the Federal Bureau of Investigation (FBI). The *2010 National Security Strategy* identifies fusion centers as critical in enlisting all of our intelligence, law enforcement, fire, emergency, management, and homeland security capabilities to prevent acts of terrorism on American soil.

For additional information related to this priority, please refer to the DHS Funding Opportunity Announcement (FOA) for the Homeland Security Grant Program (HSGP) available at http://www.fema.gov/pdf/government/grant/2012/fy12_hsgp_foa.pdf.

(NEW) Programmatic Priority #4—Innovation and Sustained Support for the National Campaign for Preparedness: Building and sustaining preparedness is an ongoing effort and the National Campaign for Preparedness seeks to support the Goal through a range of existing and innovative activities including: Federal preparedness efforts; grants, technical assistance and other Federal preparedness resources; research and development efforts; and a comprehensive national preparedness campaign, inclusive of public outreach and community-based and private-sector programs. This priority may be achieved by:

- A. Promoting preparedness activities that empower communities to organize themselves and take direct action to put local residents in leadership roles in planning, organizing, and sharing accountability for the success of local disaster management related projects and programs
- B. Actively supporting citizen preparedness drills, exercises, and community days of action such as the Great Shakeout, as well as preparedness initiatives for local schools and campuses, educational institutions, faith based organizations and private businesses
- C. Demonstration of progress toward whole community inclusion in development of emergency plans and integration of nontraditional resources in emergency plans (e.g. EOPs)

(NEW) Programmatic Priority #5—Improve Immediate Emergency Victim Care at Mass Casualty Events: In recognition of the substantial impact mass casualty events have on families, communities, and state, local and regional first responder agencies and public/private medical service providers, FY2013 SHSP and UASI grantees are encouraged to apply funding in support of efforts to improve mass casualty care capabilities with a specific focus on providing immediate emergency care to victims of mass casualty events, including mass shootings. This priority may be achieved by:

- A. Engaging in mass casualty planning, training, and exercises specifically involving law enforcement, fire service, and EMS providers to rapidly deploy into areas that have been cleared but not secured in order to initiate treatment at or near the point of injury and effect rescue of survivors. Plans, training, and exercises must include strategies that ensure the health and safety of first responders and citizen responders, and training associated with the prevention and detection of secondary attacks.

- B. Improving coordination between law enforcement, fire service, EMS systems, other first responder agencies, and local healthcare delivery and trauma systems to improve victim triage, treatment and transport, to ensure patients are distributed to appropriate levels of definitive emergency care.
- C. Establishing protocols on the medical principles of tactical emergency casualty care and conducting training for responders.
- D. Empowering community bystanders through public education initiatives and training about life sustaining actions and how they can support survivors and providers in a mass casualty event.

Application Linkages: All allocations and use of funds under SHSP and SLETPP must support and/or link back to several federal initiatives and reporting mechanisms. Where necessary, local sub-grantees will be required through their local application worksheets to demonstrate the appropriate linkages to the projects they will use SHSP and SLETPP funding to support.

- **DHS Core Capabilities via NYS Critical Capabilities List:** In 2011, the federal government moved away from the Target Capabilities List towards the new National Core Capabilities. New York State found the new National Core Capabilities to be cumbersome and a difficult tool to utilize in measuring capability development as it pertains to homeland security preparedness. Therefore, NYS has developed its own list of Critical Capabilities, which applicants will refer to when developing projects through homeland security funding sources. NYS has cross-walked the NYS Critical Capabilities against the National Core Capabilities, and will utilize this cross-walk on the back end in order to satisfy federal reporting requirements. Please refer to Appendix B for a list of the NYS Critical Capabilities.
- **State Homeland Security Strategy:** As noted above, all FY2013 SHSP and SLETPP grant projects must support the Goals and Objectives in the State Homeland Security Strategy.
 - **Accessing the Strategy:** The complete NYS Homeland Security Strategy can be accessed online: (<http://www.dhSES.ny.gov/planning/>).

Federal Funding Opportunity Announcement: For more information on this grant program and the Federal programmatic priorities and requirements associated with it, please refer to the Federal FY2013 Funding Opportunity Announcement (FOA), along with associated supplemental documentation on priorities, requirements and related initiatives highlighted in the FOA, at FEMA’s website at <http://www.fema.gov/fy-2013-homeland-security-grant-program-hsgp-0>.

V. State Programmatic Guidance

State Priorities: New York State has identified the following priorities for FY2013 HSGP funding, complementing the Federal programmatic priorities previously outlined.

Priority 1- Build Sustainable Systems: The development of sustainable systems to respond to emergency incidents is a priority. Specialized equipment needs to support a systems approach to be considered. All equipment purchases must fill a specific need identified through a gap analysis (e.g. local THIRA) and include a detailed justification. **The purchase of vehicles, especially mobile command vehicles, is strongly discouraged and applications will not be approved without a very clear and convincing detailed justification. Specifically, the Commissioner of DHSES will review and must approve any requests for vehicles.**

Priority 2- Sustain and Maintain Useful Capabilities: Faced with historic reductions in grant funding, sustaining and maintaining existing useful capabilities is a priority. Any initiatives that seek to develop new capabilities at the expense of existing capabilities require detailed justification and review by DHSES. Furthermore, per DHS guidance, all new capabilities being sought utilizing SHSP or SLETPP funding, must be deployable outside of the grantee or sub-grantee's community to support regional and national efforts of otherwise shareable with regional partners.

Priority 3- Build and Sustain Interoperable Communications Systems: Communications is a critical issue in all major incidents, and underscores the need for all communications systems to be able to utilize available federal and State interoperability channels. To emphasize the importance of interoperable communications, sub-grantees must clearly demonstrate that they are investing to close gaps that may exist related to achieving the strategic goals of Federal, State, regional and local interoperability. Furthermore, per DHS guidance, grantees and sub-grantees investing in emergency communications should describe how those investments align to the state's Statewide Communication Interoperable Plan (SCIP). Grantees and sub-grantees should coordinate with their Statewide Interoperability Coordinator (SWIC) and/or Statewide Interoperability Governance Body (SIGB) when developing an emergency communications investment prior to submission to ensure the project supports the statewide strategy to improve emergency communications and is compatible and interoperable with surround systems. The Office for Interoperable Emergency Communications (OIEC) will be made aware of all communications projects proposed by local sub-grantees, to ensure this requirement by DHS is met.

Priority 4- Maintain Core Planning and Response Capabilities in the Counties: An effective and coordinated response is based on having up to date, validated emergency plans. Furthermore, all plans should engage the whole community, per DHS guidance, to ensure that all homeland security stakeholders are actively engaged in the development of plans, processes and protocols.

The FY213 SHSGP focuses on the development and sustainment of core capabilities as outlined in the National Preparedness Goal. The U.S. Department of Homeland Security has aligned SHSGP with the National Preparedness System with the objective of achieving "a secure and resilient Nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk." Consistent with that objective, all grantees and subgrantees funded through this program agree to provide DHSES, upon request at any time during the life of the grant contract, such cooperation and information deemed necessary by DHSES to ascertain: (1) the nature and extent of any threats or hazards that may pose a risk to the grantee or subgrantee; and (2) the status of any

corresponding grantee or subgrantee plans, capabilities, or other resources for preventing, protecting against, mitigating, responding to, and recovering from such threats or hazards

Additionally, FY2013 SHSGP and the National Preparedness Goal also support the improvement of capabilities through training and exercise programs. Additionally, pursuant to Article 26 of the NYS Executive law, DHSES is authorized to undertake periodic drills and simulations designed to assess and prepare responses to terrorist acts or threats and other natural and man-made disasters. Funded grantees and subgrantees agree to attend and participate in any DHSES-sponsored conferences, training, workshops or meetings (excluding those identified by DHSES as voluntary) that may be conducted, by and at the request of DHSES, during the life of the grant contract.

Priority 5- Develop Regional Capabilities: With limited funding available, the shared use of regional capabilities avoids unnecessary duplication while ensuring that all jurisdictions can benefit from the needed capabilities. This includes the sharing of data and intelligence with the regional Crime Analysis Centers and the New York State Intelligence Center.

Priority 6- Focus on Worst Case Planning: Prepare for the worst case scenario. When jurisdictions are prepared for the worst case scenario, adapting to lesser events and scaling back response is manageable. Scaling up to respond to a scenario outside of the scope of existing planning is difficult and can lead to delayed response and confusion.

VI. Authorized Program Expenditures

SLETPP Reminder: All SLETPP funding must be used in support of law enforcement terrorism prevention-oriented planning, organization, training, exercise, equipment activities, and/or management and administration (M&A) costs including those activities which support the development and operation of fusion centers.

The following activities are examples of eligible for use of Law Enforcement Terrorism Prevention Activities (LETPA) focused funds:

- Maturation and enhancement of **recognized State and major Urban Area fusion centers**, including information sharing and analysis, target hardening, threat recognition, and terrorist interdiction, and training/ hiring of intelligence analysts;
- Implementation and maintenance of the Nationwide SAR Initiative (NSI), including training for front line personnel on identifying and reporting suspicious activities;
- Implementation of the “If You See Something, Say Something™” campaign to raise public awareness of indicators of terrorism and violent crime and associated efforts to increase the sharing of information with public and private sector partners, including nonprofit organizations;
- Training for countering violent extremism; development, implementation, and/or expansion of programs to engage communities that may be targeted by violent extremist radicalization; and the development and implementation of projects to partner with local communities to prevent radicalization to violence, in accordance with the Strategic

Implementation Plan (SIP) to the National Strategy on Empowering Local Partners to Prevent Violent Extremism in the United States; and

- Increase physical security, via law enforcement personnel and other protective measures by implementing preventive and protective measures related to at-risk nonprofit organizations.

Other allowable expenses for the use of SLETPP funding are available on the Responder Knowledge Base (RKB) at <https://www.rkb.us/>.

Although no longer funded as discrete grant programs, all activities and costs allowed under the FY2010 Buffer Zone Protection Program (BZPP), FY2010 Interoperable Emergency Communications Grant Program (IECGP), FY2011 Citizen Corps Program (CCP), FY2011 Driver's License Security Grant Program (DLSGP), FY2011 Regional Catastrophic Planning Grant Program (RCPGP), and FY2011 Metropolitan Medical Response System (MMRS) grant program are **allowable and encouraged activities and costs** under the FY 2012 Homeland Security Grant Program (HSGP).

Planning

- Planning activities are central to the State Homeland Security Program (SHSP) and State Law Enforcement Terrorism Prevention Program (SLETPP).

Organizational Costs

- **SHSP:** Organizational Costs are not allowed under the State Homeland Security Program (SHSP) in New York State with the exception of Operational Packages (OPACKS) as noted below.
 - **SLETPP:** Up to 50% of your award may be spent on allowable organizational activities (listed below). Please keep in mind that all organizational activities, including Operational Packages (OPACKS) also count towards the 50% personnel cap as well.
1. **Overtime Costs:** Overtime costs are allowable for personnel to participate in information, investigative, and intelligence sharing activities specifically related to homeland security and specifically requested by a Federal agency. Allowable costs are limited to overtime associated with federally requested participation in eligible fusion activities including anti-terrorism task forces, Joint Terrorism Task Forces (JTTFs), Area Maritime Security Committees (as required by the *Maritime Transportation Security Act of 2002*), DHS Border Enforcement Security Task Forces, and Integrated Border Enforcement Teams. Grant funding can only be used in proportion to the Federal man-hour estimate, and only after funding for these activities from other Federal sources (i.e. FBI JTTF payments to State and local agencies) has been exhausted. Under no circumstances should DHS grant funding be used to pay for costs already supported by funding from another Federal source.
 2. **Intelligence Analysts:** SLETPP funds may be used to hire new staff and/or contractor positions to serve as intelligence analysts to enable information/intelligence sharing capabilities, as well as support existing intelligence analysts previously covered by SLETPP

funding. In order to be hired as an intelligence analyst, staff and/or contractor personnel must meet at least one of the following criteria:

- a. Successfully complete training to ensure baseline proficiency in *intelligence analysis and production* within six months of being hired; and/or,
 - b. Previously served as an intelligence analyst for a minimum of two years either in a Federal intelligence agency, the military, or State and/or local law enforcement intelligence unit
 - c. All intelligence analyst training should be in accordance with Global Justice Information Sharing Initiative's (Global) *Minimum Criminal Intelligence Training Standards for Law Enforcement and Other Criminal Justice Agencies in the United States*, which outlines the minimum categories of training needed for intelligence analysts. These include subject-matter expertise, analytic methodologies, customer-service ethics, information handling and processing skills, critical thinking skills, computer literacy, and objectivity and intellectual honesty. A certificate of completion of such training must be on file with DHSES and made available to FEMA Program Analysts upon request.
3. **Operational Packages (SHSP and SLETPP, and UASI): Any grantee or sub-grantee wishing to pursue funding for an Operational Package (OPack) must contact their Program Representative at DHSES at 1-866-837-9133 as soon as possible as DHS has established specific terms and conditions related to OPacks.** SHSP, SLETPP and UASI funding may be utilized to pursue operational package (OPack) funding, such as Canine Teams, Mobile Explosive Screening Teams, and Anti Terrorism Teams, for new capabilities as well as to sustain existing OPacks. Applicants must commit to minimum training standards to be set by the Department of Homeland Security for all federally funded security positions. Applicants must also ensure that the capabilities are able to be deployable, through EMAC, outside of their community to support regional and national efforts. When requesting OPacks-related projects, applicants must demonstrate the need for developing a new capability at the expense of sustaining existing core capability. Applicants are reminded that personnel-related activities associated with OPacks will be subject to the PRICE Act requirements in which all States are allowed to utilize up to 50 percent (50%) of their FY2013 SHSP and SLETPP funding and all Urban Areas are allowed up to 50 percent (50%) of their FY2013 UASI funding for personnel costs.
4. **Operational Overtime:** In support of efforts to enhance capabilities for detecting, deterring, and preventing acts of terrorism, operational overtime costs are allowable for increased security measures at critical infrastructure sites, **only upon prior approval provided in writing by the FEMA Administrator.** FY2013 SLETPP funds for organizational costs may be used to support select operational expenses associated with increased security measures at critical infrastructure sites in the following authorized categories:
- a. Backfill and overtime expenses (as defined in this guidance) for staffing State or Major Urban Area fusion centers
 - b. Hiring of contracted security for critical infrastructure sites
 - c. Public safety overtime (as defined in this guidance)
 - d. Title 32 or State Active Duty National Guard deployments to protect critical infrastructure sites, including all resources that are part of the standard National

Guard deployment package (Note: Consumable costs, such as fuel expenses, are not allowed except as part of the standard National Guard deployment package)

- e. Increased border security activities in coordination with US Customs and Border Protection (CBP), as outlined in Information Bulletin #135

Equipment

- FY2013 SHSP funds may be used for equipment acquisition from the 21 equipment categories listed in the FY2013 Authorized Equipment List (AEL). Please note that the eligible use of SLETPP funding is limited and does not apply to all 21 equipment categories on the AEL. The AEL is available in its entirety online through the Responder Knowledge Base (RKB) at <https://www.rkb.us/>.

Training

- Allowable training costs include, but are not limited to, the following: OT/Backfill costs; travel costs; hiring of FT/PT staff or contractors to support training activities. Training conducted using SHSP/SLETPP funds should address a performance gap identified through an After Action Report/Improvement Plan (AAR/IP) or contribute to building a capability that will be evaluated through an exercise. Exercises should be used to provide the opportunity to demonstrate and validate skills learned in training, as well as to identify training gaps. Any training or training gaps should be identified in the AAR/IP and addressed in the State or Urban Area training cycle. All training and exercises conducted with SHSP/SLETPP funds should support the development and testing of the jurisdiction's Emergency Operations Plan (EOP) or specific annexes, where applicable.
- **Point of Contact:** If you have any questions about training, please contact DHSES-OEM Chief of Training and Exercise, Richard French at rfrench@dhses.ny.gov or by phone at 518-292-2357.

Exercises

- All exercises conducted using HSGP funding should be compliant with the Homeland Security Exercise and Evaluation Program (HSEEP) guidance. HSEEP requirements are summarized below.

HSEEP general information:

- HSEEP is a capabilities and performance-based exercise program which provides a standardized policy, methodology, and terminology for exercise development, conduct, evaluation and improvement planning. HSEEP policy and guidance is contained in the HSEEP Volumes 1-4, and can be obtained on the HSEEP web site: www.hseep.dhs.gov, along with the HSEEP Exercise development toolkit.
- The HSEEP Mobile Course has been designed to provide students with an understanding of the guidance and principles of HSEEP. This course is scheduled regularly throughout the

state and course offerings are listed on the DHSES web site:
<http://www.dhSES.ny.gov/oct/units/training-exercises/training-calendar.cfm>.

A summary of major HSEEP compliance activities follows-

Exercise notification:

Exercise Notification Form: When an exercise is scheduled, it must be reported to DHSES on the Scheduled Exercise Notification Form. **This form must be submitted to the DHSES Office of Emergency Management (OEM) Exercise Section sixty days prior to the start of each exercise supported with HSGP funds, including any exercise supported by the county through a sub-allocation of its award.** This notification form can now be submitted online via the DHSES website:

<http://www.dhSES.ny.gov/oem/exercise/exercise-notification.cfm>

- National Exercise Schedule: HSEEP guidance requires exercises be placed on the National Exercise Schedule (NEXS). The DHSES OEM Exercise Branch will place exercise information on the National Exercise Schedule based on information contained on the exercise notification form received from jurisdictions. DHSES also maintains a state exercise schedule on the agency web site.

Exercise development: Exercises should be developed according to HSEEP guidance.

Exercise evaluation and after action reporting:

- Evaluation is the cornerstone of exercises. It documents strengths and areas for improvement in a jurisdiction's preparedness. HSEEP requires all exercises to be evaluated and jurisdictions must submit an exercise After Action Report (AAR) and Improvement Plan (IP). Evaluation takes place using pre-developed Exercise Evaluation Guides which are available on the HSEEP web site. The After Action Report/ Improvement Plan summarizes exercise events and includes corrective actions for improvement. **The AAR/ IP must be submitted to the DHSES OEM Exercise Division sixty days after completion of the exercise. Grantees can submit the AAR/IPs to exercise@dhSES.ny.gov.**
- Format, templates and information regarding AAR and IP may be found in HSEEP Volume IV on the HSEEP web site: www.HSEEP.dhs.gov. The HSEEP Mobile course includes very thorough information on development of After Action Reports and Improvement Plans.

Exercise Assistance: The DHSES OEM Exercise Section is available to provide exercise assistance to jurisdictions. Please contact the OEM Exercise Section at exercise@dhSES.ny.gov or by phone at 518-292-2351 if you are interested in conducting an exercise using FY2013 HSGP funds and/or have HSEEP or exercise related questions.

Personnel Cap

Grantees may spend up to 50% of their award on allowable personnel costs, in accordance with the PRICE Act.

Personnel costs includes the following categories:

- Organizational Costs:
 - Operational Overtime, salaries and personnel costs for Operational Packages (OPACKS). Allowable under SHSP, SLETPP, and UASI.
 - Overtime to participate in information sharing activities, and salaries and personnel costs for intelligence analysts. Allowable under SLETPP and UASI.
- Salaries and personnel costs for planners, equipment managers, exercise coordinators, and/or training coordinators.
- Salaries and personnel costs (up to 5% of award amount) for Management and Administration (M&A) of grant programs.
- Overtime/backfill to participate in approved training or exercise deliveries.
- Contractor costs associated with performing the above activities. Note: A Contractor that is procured for a set period of time to produce a defined product or deliverable (i.e. the development of a HazMat Plan, installation of equipment items, etc.) does not count towards the cap. However, if a Contractor is hired to do general support activities (i.e. Training Director), then this expense would count towards the personnel cap.

Maintenance and Sustainment (SHSP, SLETPP, UASI):

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. With the exception of maintenance plans purchased incidental to the original purchase of the equipment, the period covered by a maintenance or warranty plan must not exceed the period of performance of the specific grant funds used to purchase the plan or warranty.

FY2013 grant funds are intended to support the National Preparedness Goal by funding projects that build and sustain the core capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the Nation. In order to provide grantees the ability to meet this objective, the policy set forth in Information Bulletin 336 (Maintenance and Sustainment) has been expanded to allow for the support of equipment that has previously been purchased with both Federal grant and non-Federal grant funding. Grantees need to ensure that eligible costs for maintenance and sustainment be an allowable expenditure under applicable grant programs and support one of the core capabilities in the five mission areas contained within the NPG and be deployable through EMAC, where applicable.

Management and Administration (M&A)

Up to 5% of the award amount may be used to support Management and Administrative costs associated with the implementation of the grant award. Examples of allowable M&A costs include:

- Hire of full or part time staff to administer grants
- Travel costs
- Meeting related expenses
- Authorized office equipment
- Leasing or renting of space for newly hired personnel during the period of performance for the grant program.

FY2013 Construction and Renovation Guidance

Use of FY2013 HSGP funds for construction and renovation is generally prohibited except as outlined below. Such construction and renovation shall be strictly limited and allowable only when it is a necessary component of a security system at critical infrastructure facilities.

Project construction and renovation not exceeding \$1,000,000 or 15% of the grant award is allowable, as deemed necessary. Written approval must be provided by FEMA prior to the use of any HSGP funds for construction or renovation. The following types of projects are considered to constitute construction and renovation, and must be submitted to FEMA for compliance review under federal environmental planning and historic preservation (EHP) laws and requirements prior to initiation of the project:

- Construction of and renovation to guard facilities which are intended to provide enhanced security at grantee-designated critical infrastructure sites
- Renovation of and modifications, including the installation of security and communications equipment, to buildings and structures that are 50 years old or older
- Any other construction or renovation efforts that change or expand the footprint of a facility or structure, including security enhancements to improve perimeter security
- Physical security enhancements, including, but not limited to:
 - Lighting
 - Fencing
 - Closed-circuit television (CCTV) systems
 - Motion Detection Systems
 - Barriers, doors, gates, and related security enhancements.

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

Construction Approval Process for SHSP, SLETPP, and UASI

In order for grantees to draw down funds for construction and renovation costs under SHSP, SLETPP, and UASI grants, grantees must provide through DHSES to FEMA:

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

Projects that were initiated or completed before an EHP review was concluded are unallowable for reimbursement using SHSP and SLETPP funds. For more information on FEMA’s EHP requirements, grantees should refer to FEMA’s Information Bulletin #329 “Environmental Planning and Historical Preservation Requirements for Grants” available online at: <http://www.fema.gov/pdf/government/grant/bulletins/info329.pdf>

Western Hemispheric Travel Initiative (SHSP/LSETTP)

In addition to the expenditures outlined above, SHSP funds may be used to support the implementation activities associated with the Western Hemisphere Travel Initiative (WHTI), including the issuance of WHTI-compliant tribal identification cards. More information on the WHTI may be found at http://www.dhs.gov/files/programs/gc_1200693579776.shtm or http://www.getyouhome.gov/html/enq_map.html.

Other Secure Identification Initiatives (SHSP/SLETPP)

SHSP/SLETPP funds may also be used to support the Department’s additional efforts to enhance secure identification. Activities that facilitate secure identification, including IT enhancements for identification management and verification systems are a priority. DHS is currently developing and implementing a number of screening programs in which secure identification credentials figure prominently. These include the Transportation Worker Identification Credential (TWIC) program which promotes tamper-resistant biometric credentials for workers who require unescorted access to secure areas of ports, vessels, outer continental shelf facilities, and all credentialed merchant mariners; and the credentialing of first responders which entails enhancing real-time electronic authentication of identity and attribute(s) (qualification, certification, authorization, and/or privilege) of emergency response/critical government personnel responding to terrorist attacks or other catastrophic events. States are encouraged to continue implementing activities previously funded through Driver’s License Security Grant Program (DLSGP) that focus on securing driver’s license and identification card issuance processes. Initiatives related to securing identification should:

- Have the greatest impact upon reducing the issuance and use of fraudulent driver’s license and identification cards;
- Reduce the cost of program implementation for individuals, States, and the Federal government;
- Expedite State progress toward meeting minimum security standards; and

- Plan and expedite State-specific activities to support Federal data and document verification requirements and standards.

Unallowable Costs

Local jurisdictions may not charge for indirect costs under this grant program.

Supplanting

Grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose.

Grant Contracting Process

Any resulting contract or agreement is contingent upon the continued availability of funding and will be effective only upon approval by the New York State Office of the Comptroller and the Office of the Attorney General.

Grantees must agree to DHSES terms and conditions included in DHSES grant contracts. Sample grant contract language, including but not limited to Appendices A, A-1 and C, are available for review on the DHSES website at <http://www.dhses.ny.gov/grants/>.

Appendix A: NYS Critical Capabilities with Cross-Walk to DHS Core Capabilities

Background: In 2011, Presidential Policy Directive #8 (PPD-8) was released with the aiming of strengthening the Nation’s security and resiliency through the systematic preparation for the threats that pose the greatest risk. PPD-8 called for the development of a National Preparedness Goal, which outlined “Core Capabilities” necessary to prepare the Nation for the specific types of incidents that post the greatest risk and threat. These Core Capabilities have replaced the “*Targeted Capabilities*” that grantees and sub-grantees have been reporting against since 2007.

New York State has found that the new Core Capabilities were not intuitive and did not include many of the key functions that local and State partners undertake in terms of homeland security and emergency management. Therefore, New York State has developed our own “Critical Capabilities List” (outlined below), which include 28 distinct capabilities. These capabilities have been vetted with numerous State and local stakeholders.

Sub-grantees will be required to report against the NYS Critical Capabilities and cite these capabilities in the when developing applications for SHSP funding or targeted grant opportunities. Below is a list of the NYS Critical Capabilities, followed by a cross-walk between the NYS Critical Capabilities and the DHS Core Capabilities:

Common Capabilities (5)

Planning: *The ability to develop, validate, and maintain plans to address identified threats and hazards.*

Interoperable and Emergency Communications: *The ability to ensure public safety agencies and other community partners can communicate with one another on demand, in real time, when needed, and when authorized.*

Public Information and Warning: *The ability to deliver coordinated, prompt, and actionable information to the public through the use of clear, consistent approaches and leveraging multiple delivery methods.*

Citizen Awareness and Preparedness: *The ability to ensure citizens are fully aware, trained, and practiced on how to prevent, protect, prepare for, respond to, and recover from any threat or hazard.*

Continuity of Operations/Continuity of Government (COOP/COG): *The ability to develop and implement plans and programs to maintain essential operations and government services during an emergency.*

Private Sector/Non-Governmental Organizations (NGO): *The ability to coordinate with the private sector and other non-governmental organizations to leverage their resources and subject-matter expertise.*

Prevention and Protection Capabilities (5)

Information-Sharing and Intelligence Analysis: *The ability to receive, analyze and distribute accurate, timely, and actionable information and intelligence to agencies and key stakeholders, including the private sector.*

Critical Infrastructure/Key Resources Protection: *The ability to identify and protect critical infrastructure and key resource sites through risk management and by improving protections against all threats and hazards.*

Cyber Security: *The ability to protect cyber networks and services from damage, unauthorized use, and exploitation and restore systems that are compromised.*

CBRNE Detection and Interdiction: *The ability to detect and interdict CBRNE materials at points of manufacture, transport, and use.*

Law Enforcement Counter-Terrorism Operations: *The ability to support the range of activities taken by law enforcement to detect, investigate, and conduct operations related to potential terrorist activities.*

Response Capabilities (16)

EOC Management: *The ability to establish and operate an Emergency Operations Center to support onsite incident management activities during an event.*

Onsite Incident Management: *The ability to establish a unified and coordinated operational structure at the scene of an incident.*

CBRNE Response and Decontamination: *The ability to assess and manage the consequences of a hazardous materials release, either accidental or intentional.*

Search and Rescue Operations: *The ability to deliver search and rescue capabilities and assets to affected communities, with the goal of saving the greatest number of endangered lives in the shortest time possible.*

Law Enforcement Response Operations: *The ability to leverage law enforcement assets and specialty teams (e.g. Bomb Squads, SWAT Teams, Dive Teams) to support site security and response to terrorist attacks and other hazards.*

Firefighting Support and Operations: *The ability to coordinate and implement fire suppression operations and support mutual aid within the fire service.*

Mass Care and Sheltering: *The ability to provide life-sustaining services to communities in need, with a focus on evacuating, sheltering, hydrating, and feeding the individuals most impacted during an event, including special needs populations.*

Transportation: *The ability to prioritize transportation infrastructure restoration to provide for the efficient movement of citizens, responders, and goods into and out of areas impacted during an event through the utilization of various transportation systems and routes.*

Health Emergency Preparedness: *The ability to support health emergency preparedness by developing and maintaining the ability to identify public health threats, provide medical countermeasures, and surge the hospital system to manage large numbers of sick or injured during any incident.*

Emergency Medical Services (EMS) Operations: *The ability to appropriately dispatch EMS and provide suitable pre-hospital treatment and support to healthcare facilities.*

Fatality Management: *The ability to provide effective, efficient mass fatality services to communities in need, including body recovery and victim identification, the development of temporary mortuary solutions, and coordination with victims' families.*

Logistics and Resource Management: *The ability to identify, inventory, mobilize, and dispatch available critical resources (including those obtained via mutual aid and donations) and human capital throughout the duration of an incident.*

Damage Assessment: *The ability to conduct damage assessments in conjunction with partners at multiple levels of government to help inform resources needed to ensure an efficient recovery from an incident.*

Debris Management: *The ability to develop and maintain debris management plans to restore public services and ensure public health and safety in the aftermath of a disaster.*

Restoration of Infrastructure and Critical Services: *The ability to initiate and sustain the restoration of critical services to affected communities, including drinking water, wastewater, electricity, transportation services, and economic services through effective planning and other related efforts.*

Disaster Recovery/Mitigation Capabilities (2)

Recovery: *The ability to provide ongoing support to communities after a major incident occurs to help rebuild affected areas and to increase their resiliency to face future incidents to include long-term housing and infrastructure replacement.*

Mitigation: *The ability to, through traditional mitigation programs and other efforts build and sustain resilient systems, communities, and infrastructure to reduce their vulnerability to any threat or hazard.*

Appendix B: DHSES Contact Information Summary

- **SHSP/SLETPP Local Application Development:** If you have any questions regarding the development of your local applications for the FY2013 HSGP grants, please contact DHSES Grant Hotline at (866) 837-9133 or grants@dhSES.ny.gov.
- **Training:** If you have any questions about training, please contact DHSES-OEM Chief of Training and Exercise, Richard French at rfrench@dhSES.ny.gov or by phone at 518-292-2357.
- **Exercise Assistance:** The DHSES OEM Exercise Section is available to provide exercise assistance to jurisdictions. Please contact the OEM Exercise Section at exercise@dhSES.ny.gov or by phone at 518-292-2351 if you are interested in conducting an exercise using FY2013 HSGP funds and/or have HSEEP or exercise related questions.
- **NIMS:** For more information on NIMS and NIMS implementation in your jurisdiction you may contact DHSES (518-242-5006; nims@dhSES.ny.gov).