



U.S. DEPARTMENT OF HOMELAND SECURITY

**FISCAL YEAR 2009**

**PORT SECURITY GRANT PROGRAM**

**GUIDANCE AND APPLICATION KIT**

**NOVEMBER 2008**



U.S. DEPARTMENT OF HOMELAND SECURITY

**Title of Opportunity:** FY 2009 Port Security Grant Program (PSGP)

**Funding Opportunity Number:** DHS-09-GPD-056-1959

**Federal Agency Name:** FEMA Grant Programs Directorate (GPD)

**Announcement Type:** Initial

**Dates:** Completed applications must be submitted **no later than 11:59 PM EST, January 13, 2009.**

**Additional overview information:** The Fiscal Year 2009 (FY 2009) Port Security Grant Program (PSGP) contains significant improvements based on extensive outreach to grant participants and stakeholders, including:

***Expanded Improvised Explosive Device (IED) Priority (pages 6, 64)***

This priority has been expanded to include enhancing Weapons of Mass Destruction (WMD) and other non-conventional weapons capabilities. Additional guidance on developing preventive radiation/nuclear detection capabilities and the Domestic Nuclear Detection Office (DNDO) has been included.

***Fiduciary Agent (FA) Requirement (pages 11, 17-19)***

Group I and Group II port areas identified in FY 2007 Supplemental PSGP or FY 2008 PSGP that remain in Group I or Group II for FY 2009 are required to continue with the FA model. Port areas that are new to Group II in FY 2009 have the option of selecting an FA and beginning the FA process, or opting out of the FA process. If opting out of the FA process, individual eligible entities will apply directly to FEMA for funding and comply with all requirements of Group III and All Other Port Areas.

***Cost Sharing Requirement (pages 16-17)***

The cost sharing requirement can be met by a cash or an in-kind match (excluding construction activities for which the non-Federal share must be a cash match).

***Construction (pages 42-43)***

Some types of construction and renovations projects are allowable for funding.

***Explosive Detection Canine Team Operational Packages (OPacks) (pages 44-45)***

OPacks are now available for funding to eligible Group I and Group II port areas and ferry systems.

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## PART I.

# FUNDING OPPORTUNITY DESCRIPTION

The Port Security Grant Program (PSGP) is one of six grant programs that constitute the Department of Homeland Security (DHS) Fiscal Year (FY) 2009 focus on transportation infrastructure security activities. The PSGP is one tool in the comprehensive set of measures authorized by Congress and implemented by the Administration to strengthen the Nation's critical infrastructure against risks associated with potential terrorist attacks. The *Maritime Transportation Security Act of 2002*, as amended (46 U.S.C. §70107), established the PSGP to implement Area Maritime Transportation Security Plans and facility security plans among port authorities, facility operators, and State and local government agencies required to provide port security services.

The vast bulk of U.S. critical infrastructure is owned and/or operated by State, local and private sector partners. PSGP funds support increased port-wide risk management; enhanced domain awareness; training and exercises; and further capabilities to prevent, detect, respond to and recover from attacks involving improvised explosive devices (IEDs) and other non-conventional weapons.

The purpose of this package is to provide: (1) an outline of the PSGP; and (2) the formal grant guidance and the application materials needed to apply for funding under the program. The package also outlines the DHS management requirements for implementing a successful application.

Applying for significant Federal funds under programs such as this may be quite complex. DHS understands its responsibility to provide clear guidance and efficient application tools to assist applicants. Users are entitled to effective assistance during the application process, and transparent, disciplined management controls to support grant awards. DHS administrators intend to be good stewards of precious Federal resources, and commonsense partners with their State and local colleagues.

DHS understands that each port area has specific individual needs and tested experience about how to best reduce risk within its region. DHS subject matter experts will come to the task with a sense of urgency to reduce risk, but also with an ability to listen carefully to local needs and approaches. In short, DHS commits to respect flexibility and local innovation as it funds national homeland security priorities.

### ***Federal Investment Strategy***

The PSGP is an important part of the Administration's larger, coordinated effort to strengthen homeland security preparedness, including the security of the country's critical infrastructure. The PSGP implements objectives addressed in a series of post-9/11 laws, strategy documents, plans, Executive Orders 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 its forthcoming sector-specific plans. The National Preparedness Guidelines provides 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 Guidelines first define a vision of what to accomplish and then provide 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.<sup>1</sup> 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, it identifies 37 critical capabilities that will be DHS's focus for key investments with State, local and Tribal partners.

DHS expects its critical infrastructure partners – including recipients of PSGP grants – to be familiar with this national preparedness architecture and to incorporate elements of this architecture into their planning, operations, and investment to the degree practicable. DHS funding priorities outlined in this document reflect the National Preparedness Guidelines priority investments as appropriate. Programmatic requirements or priority investment categories reflecting the national preparedness architecture are expressly identified below.

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<sup>1</sup> The National Preparedness Guideline and its supporting documents were published in final form and released on September 13, 2007. The Guidelines are available at: <http://www.dhs.gov/xprepresp/publications>

### ***Overarching Funding Priorities***

The funding priorities for the FY 2009 PSGP reflect DHS's overall investment strategy, in which two priorities have been paramount: risk-based funding and regional security cooperation.

First, DHS will focus the bulk of its available port security grant dollars on the highest-risk port systems. This determination is based on ongoing intelligence analysis, extensive security reviews, and consultations with port industry partners and congressional direction.

At the recommendation of the United States Coast Guard (USCG), some ports are being considered as a single cluster due to geographic proximity, shared risk and a common waterway. As with other DHS grant programs, applications from these port clusters must be locally coordinated and include integrated security proposals to use PSGP grant dollars.

Eligible port areas, as well as ferry systems, were identified using a comprehensive, empirically-grounded risk analysis model. Risk methodology for PSGP programs is consistent across the modes and is linked to the risk methodology used to determine eligibility for the core DHS State and local grant programs.

Within the PSGP, eligibility for all grant awards is first predicated on a systematic risk analysis that reviews and rates eligible ports in a given area for comparative risk. All port areas will be comparably rated. The FY 2009 risk assessment formula was further strengthened and refined from last year's risk assessment formula.

The PSGP risk formula is based on a 100 point scale comprising "threat" (20 points) and "vulnerability/consequences" (80 points). Risk data for eligible port areas is gathered individually and then aggregated by region. The DHS risk formula incorporates multiple normalized variables, meaning that for a given variable, all eligible port areas are empirically ranked on a relative scale from lowest to highest.

DHS's risk assessment methodology for PSGP considers critical infrastructure system assets, and characteristics from four areas that might contribute to their risk: intelligence community assessments of threat; economic consequences of attack; port assets; and area risk (to people and physical infrastructure immediately surrounding the port). The relative weighting of variables reflects DHS's overall risk assessment, as well as the FY 2009 program priorities. Specific variables include multiple data sets regarding military mission variables; adjacent critical asset inventories; Coast Guard Maritime Security Risk Analysis Model (MSRAM) data; and international cargo value and measures of cargo throughput (container, break bulk, international and domestic).

Second, DHS places a very high priority on ensuring that all PSGP applications reflect robust regional coordination and an investment strategy that institutionalizes regional security strategy integration. This priority is a core component in the Department's statewide grant programs and the Urban Areas Security Initiative (UASI) grants.

The program will build on the successes of previous years by continuing to encourage port-wide partnerships, regional management of risk, and business continuity. Group I and Group II port areas are in the process of developing Port-Wide Risk Management/Mitigation and Business Continuity/Resumption of Trade plans that address the gaps in authorities, capabilities, capacities, competencies, and partnerships in these ports and identify their prioritized projects for the next five years. FY 2009 PSGP will continue to fund those projects identified in the plan. Adoption of a deliberate risk management planning process, consistent with that employed in the UASI and State programs, is also a key focus of the SAFE Port Act (Public Law 109-347).

During 2009, DHS will continue its effort to encourage and help coordinate port security planning efforts, such as the Area Maritime Security Plans (AMSP), with complementary initiatives underway at the State and Urban Area levels. This is part of an important evolution in the focus of the PSGP – **from a program that is primarily focused on the security of individual facilities within ports, to a port-wide risk management/mitigation and continuity-of-operations/resumption-of-trade program that is fully integrated into the broader regional planning construct that forms the core of the UASI, as well as applicable statewide initiatives.**

## ***PSGP Priorities***

In addition to these two overarching priorities, the Department has identified the following four points as its priority selection criteria for FY 2009 PSGP:

### **1. Enhancing Maritime Domain Awareness (MDA)**

MDA is the critical enabler that allows leaders at all levels to make effective decisions and act early against threats to the security of the Nation's seaports. In support of the National Strategy for Maritime Security, port areas should seek to enhance their MDA through projects that address knowledge capabilities within the maritime domain. This could include access control/standardized credentialing, command and control, communications, and enhanced intelligence sharing and analysis.

### **2. Enhancing Improvised Explosive Device (IED) and Weapons of Mass Destruction (WMD) prevention, protection, response and recovery capabilities**

Port areas should seek to enhance their capabilities to prevent, detect, respond to and recover from terrorist attacks employing IEDs, WMDs and other non-conventional weapons. Of particular concern in the port environment are attacks that employ IEDs delivered via small craft (similar to the attack on the USS Cole), by underwater swimmers (such as underwater mines) or on ferries (both passenger and vehicle).

### **3. Training and Exercises**

Port areas should first seek to ensure that appropriate capabilities exist among staff and managers, and then regularly test these capabilities through emergency drills and exercises. Emergency drills and exercises (such as those in the Transportation Security Administration (TSA) Port Security Exercise Training Program) test operational protocols that would be implemented in the event of a terrorist attack. The efforts include live situational exercises involving various threat and disaster scenarios, table-top exercises, and methods for implementing lessons learned.

### **4. Efforts supporting implementation of the Transportation Worker Identification Credential (TWIC)**

The TWIC is a congressionally mandated security program through which DHS will conduct appropriate background investigations and issue biometrically enabled and secure identification cards for individuals requiring unescorted access to U.S. port facilities. Regulations outlining the initial phase of this program (card issuance) were issued by TSA in cooperation with the Coast Guard in 72 Federal Register 3492 (January 25, 2007).



### ***Ferry System Priorities***

DHS places a high priority on ensuring that all ferry system applications reflect robust regional coordination and an investment strategy that institutionalizes regional security strategy integration. Several port areas have more than one ferry system operating agency. Close coordination of the PSGP ferry investments in each of these cases will be a requirement for all successful applications. During the upcoming year, the Federal Emergency Management Agency (FEMA), the USCG, and TSA will work with successful grantees to strengthen and support the regional consultation processes. In addition to the two overarching priorities, the Department identifies the following eight specific priorities as the highest priority selection criteria for the FY 2009 PSGP ferry systems:

- 1. Development and enhancement of capabilities to prevent, detect, respond to and recover from terrorist attacks employing improvised explosive devices (IEDs) and vehicle borne improvised explosive devices (VBIEDs)**
- 2. Mitigation of other high consequence risks identified through individual ferry system risk assessments**
- 3. Use of canine teams at the embarkation and exit points of a system, as well as during passage**
- 4. Innovative utilization of mobile technology for prevention and detection of explosives or other threats and hazards**
- 5. Development and enhancement of physical and perimeter security capabilities to deny access around maintenance facilities, dry docks, and piers**
- 6. Development of emergency preparedness and response capabilities in the event of a ferry being used as a weapon to inflict damage on critical infrastructure**
- 7. Development and enhancement of training and awareness among ferry operators and employees**
- 8. Public awareness training**

### ***PSGP Program Management: Roles and Responsibilities at DHS***

By law, the USCG is responsible for managing DHS's security oversight and security programs for the port industry. The USCG, along with TSA and the Department of Transportation's Maritime Administration (MARAD) and Federal Transit Administration (FTA), provide port subject matter expertise and determines the primary security architecture for the PSGP. The subject matter experts have the lead in crafting all selection criteria associated with the application review process. The USCG's Intelligence Coordination Center will coordinate daily with DHS's Chief Intelligence Officer to review and craft intelligence assessments for the maritime portion of the transportation sector. TSA also coordinates regularly with USCG and with other DHS components regarding intelligence assessments relevant to maritime security.

FEMA has the lead for designing and operating the administrative mechanisms needed to manage DHS's core grant programs, including this grant program. Furthermore, FEMA will take the lead in providing outreach and support to applicants in order to answer questions about PSGP requirements, and to assist port areas with filing the strongest possible applications. FEMA is responsible for ensuring compliance with all relevant Federal grant management requirements and delivering the appropriate grant management tools, financial controls, audits and program management discipline needed to support the PSGP.

While both the USCG and FEMA interface directly with port stakeholders, the USCG will have the lead on matters related to prioritizing specific investments and setting security priorities associated with the PSGP.

Effective program management involves a partnership within DHS, the boundaries of which have been defined by the Secretary of Homeland Security. To make this partnership seamless to external partners, upon award of a FY 2009 PSGP grant, each grantee will be provided with a primary program analyst from FEMA. This individual will be assigned as the turnkey facilitator for grant recipients. They will meet directly with grantees as needed, and will routinely coordinate with other agencies to facilitate support for grantees in a given region. This individual will be the one-stop PSGP account manager for port industry participants.

## PART II. AWARD INFORMATION

This section summarizes the award period of performance and the total amount of funding available under the FY 2009 PSGP, describes the basic distribution method used to determine final grants awards, and identifies all eligible applicants for FY 2009 funding.

### ***Award 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 why an extension is required.

### ***Available Funding***

In FY 2009, the total amount of funds distributed under the PSGP will be \$388,600,000. The allocation of funds is summarized in the table below.

**Table 1.  
PSGP FY 2009 Available Funding**

Group	FY 2009 Funding
Group I	\$210,649,989
Group II	\$140,014,000
Group III	\$17,592,011
All Other Port Areas	\$15,344,000
Ferry Systems	\$5,000,000
<b>TOTAL</b>	<b>\$388,600,000</b>

## PART III.

# ELIGIBILITY INFORMATION

### A. Eligible Applicants

46 U.S.C. §70107 states that all entities covered by an AMSP may submit an application for consideration of funding. A facility that is not expressly identified in an AMSP will be considered covered under an AMSP if the facility in question has had a risk analysis completed by the USCG utilizing the MSRAM tool. Congress has specifically directed DHS to apply these funds to the highest risk ports. In support of this, the PSGP includes a total of 147 specifically identified critical ports, representing approximately 95 percent of the foreign waterborne commerce of the United States. Based upon USCG recommendations, these ports are aggregated into 91 discreet port funding areas. As described below, “All Other Port Areas” covered by an AMSP are eligible to apply for grant funds from a PSGP funding pool created for that purpose.

Within the PSGP, the following entities are specifically encouraged to apply:

- Owners or operators of federally regulated terminals, facilities, U.S. inspected passenger vessels or ferries as defined in the Maritime Transportation Security Act (MTSA) and Title 33 of the Code of Federal Regulations (CFR) Parts 101, 104, 105, and 106
- Port authorities or other State and local agencies that are required to provide security services to eligible Ferry System applicants (MTSA regulated facilities) pursuant to an AMSP or a Facility or Vessel Security Plan
- Consortia composed of local river organizations, ports and terminal associations, and other local stakeholder groups representing federally regulated ports, terminals, U.S. inspected passenger vessels or ferries that are required to provide security services to federally regulated facilities in accordance with an AMSP or a Facility or Vessel Security Plan
- Group I and II Fiduciary Agents (including newly identified Group II port areas who choose to begin the FA process)
- Ferry Systems identified in Table 3

**As a condition of eligibility, all PSGP applicants are required to be fully compliant with relevant Maritime Security Regulations (33 CFR Parts 101-106). Any open or outstanding Notice of Violation (NOV), as of the grant application submission deadline date, which has been issued to an applicant, and the applicant has (1) failed to pay within 45 days of receipt; (2) failed to decline the NOV within 45 days of receipt (in which case a finding of default will be entered by the Coast Guard in accordance with 33 CFR § 1.07-11(f)(2)); or (3) the applicant has appealed the NOV as provided for in 33 CFR § 1.07-70 and is in receipt of a final appeal decision from Commandant, U.S. Coast Guard, as described in 33 CFR § 1.07-75, and has failed to come into compliance with the final adjudication within the timelines noted therein, will not be allowed to make application for a Port Security Grant.**

Tables 2 and 3 list the specific port areas and ferry systems, by Group, that are eligible for funding through the FY 2009 PSGP.

### ***Group I and Group II***

Seven port areas have been selected as Group I (highest risk) and forty-eight port areas have been selected as Group II. Each Group I and Group II port area has been designated a specific amount of money based upon the FY 2009 risk analysis.

Group I and Group II port areas identified in FY 2007 Supplemental PSGP or FY 2008 PSGP that remain in Group I or Group II for FY 2009 are required to continue with the Fiduciary Agent (FA) process and have the option of retaining their current FA or selecting a new FA to deal specifically with the FY 2009 PSGP award. Those port areas which, as a result of the FY 2009 PSGP risk methodology are new to Group II (highlighted in yellow in Table 2) have the option of selecting an FA and beginning the FA process, or opting out of the FA process. If opting out of the FA process, individual eligible entities will apply directly to FEMA for funding, and applicants must comply with all requirements of Group III and All Other Port Areas, with the identified port's allocation of money incorporated within the Group III funding pool.

**For Group I and Group II port areas continuing in the FA process or beginning the FA process, the FY 2009 PSGP will only accept applications from the FA for that port area. All individual entities (including ferry systems) within one of these port areas will apply for PSGP funds through their port area's designated FA.**

### ***Group III and All Other Port Areas***

Ports not identified in Group I or II are eligible to apply as a Group III or "All Other Port Areas" applicant. Group III and "All Other Port Areas" will compete for the funding identified in their corresponding Group. "All Other Port Areas" included within Group I, II or III's Area Maritime Security Plans (AMSP) are allowed to receive grant funds from their geographically proximate higher Group if the project has regional impact across the entire port area, but not from both funding groups for the same project.

### ***Ferry Systems***

Under a fifth group, eligible ferry systems may also apply for funding. Not all eligible ferry systems are guaranteed to receive an award. Eligible ferry systems identified in the FY 2009 Transportation Security Grant Program Guidance that elect to participate and receive funds under the FY 2009 TSGP cannot participate in the FY 2009 PSGP, and will not be considered for funding under the FY 2009 PSGP.

**Presence on this list does not guarantee grant funding**

**Table 2  
FY 2009 PSGP Port Area Groupings**

<b>Group</b>	<b>State</b>	<b>Port Area</b>	<b>FY 2009 Allocation</b>
I	CA	<b>Los Angeles-Long Beach</b> Long Beach Los Angeles	\$ 36,390,481
		<b>Bay Area</b> Carquinez Strait Martinez Oakland Richmond San Francisco Stockton	\$ 25,533,655
	DE/NJ/PA	<b>Delaware Bay</b> Camden-Gloucester, NJ Chester, PA Marcus Hook, PA New Castle, DE Paulsboro, NJ Philadelphia, PA Trenton, NJ Wilmington, DE	\$ 19,114,279
	LA	<b>New Orleans</b> Baton Rouge Gramercy New Orleans Port of Plaquemines Port of South Louisiana St. Rose	\$ 29,417,915
	NY/NJ	<b>New York-New Jersey</b>	\$ 43,397,694
	TX	<b>Houston-Galveston</b> Galveston Houston Texas City	\$ 30,794,672
	WA	<b>Puget Sound</b> Anacortes Bellingham Everett Olympia Port Angeles Seattle Tacoma	\$ 26,001,293

Group	State	Port Area	FY 2009 Allocation
II	AK	<b>Anchorage</b>	\$ 571,000
	AL	<b>Mobile</b>	\$ 2,803,000
	CA	<b>Port Hueneme</b>	\$ 613,000
		<b>San Diego</b>	\$ 2,897,000
	CT	<b>Long Island Sound</b> Bridgeport New Haven New London	\$ 4,311,000
	FL	<b>Jacksonville</b>	\$ 5,747,000
		<b>Miami</b>	\$ 2,885,000
		<b>Panama City</b>	\$ 1,594,000
		<b>Pensacola</b>	\$ 1,609,000
		<b>Port Canaveral</b>	\$ 2,907,000
		<b>Port Everglades</b>	\$ 4,214,000
		<b>Tampa Bay</b> Port Manatee Tampa	\$ 2,305,000
	GA	<b>Savannah</b>	\$ 5,032,000
	GU	<b>Apra Harbor</b>	\$ 545,000
	HI	<b>Honolulu</b> Barbers Point, Oahu Honolulu	\$ 4,525,000
	IL/IN	<b>Southern Tip of Lake Michigan</b> Burns Waterway Harbor, IN Chicago, IL Gary, IN Indiana Harbor, IN	\$ 6,243,000
	KY	<b>Louisville</b>	\$ 1,513,000
	LA	<b>Lake Charles</b>	\$ 3,941,000
		<b>Morgan City</b>	\$ 423,000
		<b>Port Fourchon/LOOP</b>	\$ 2,902,000
	MA	<b>Boston</b>	\$ 4,518,000
	MD	<b>Baltimore</b>	\$ 6,235,000
	ME	<b>Portland</b>	\$ 1,066,000
	MI	<b>Detroit</b>	\$ 1,520,000
	MN	<b>Minneapolis-St. Paul</b> Minneapolis St. Paul	\$ 2,019,000
	MN/WI	<b>Duluth-Superior</b>	\$ 1,905,000
	MO	<b>Kansas City</b>	\$ 1,550,000
		<b>St. Louis</b>	\$ 2,494,000
	MS	<b>Pascagoula</b>	\$ 346,000
	NC	<b>Morehead City</b>	\$ 1,682,000
		<b>Wilmington</b>	\$ 5,395,000
	NY	<b>Albany</b>	\$ 1,947,000
		<b>Buffalo</b>	\$ 1,421,000
	OH	<b>Cincinnati</b>	\$ 1,705,000
		<b>Cleveland</b>	\$ 1,412,000
		<b>Toledo</b>	\$ 936,000
	OR/WA	<b>Columbia-Snake River System</b> Portland Vancouver	\$ 3,108,000
	PA	<b>Pittsburgh</b>	\$ 2,307,000
	PR	<b>Ponce</b>	\$ 1,974,000
		<b>San Juan</b>	\$ 4,300,000
SC	<b>Charleston</b>	\$ 5,227,000	
TN	<b>Memphis</b>	\$ 2,406,000	
	<b>Nashville</b>	\$ 1,469,000	

Indicates port area that moved from Group III/All Other to Group II

Group	State	Port Area	FY 2009 Allocation
II	TX	Corpus Christi	\$ 6,628,000
		Freeport	\$ 3,279,000
		Sabine Neches Beaumont Port Arthur	\$ 6,597,000
	VA	Hampton Roads Newport News Norfolk Harbor	\$ 6,736,000
	WV	Huntington	\$ 2,252,000
III	AK	Valdez	\$ 17,592,011
	AL	Guntersville	
	AR	Helena	
	CA	El Segundo	
		Sacramento	
	FL	Fort Pierce	
		West Palm Beach	
	GA	Brunswick	
	IN	Mount Vernon	
	MA	Fall River	
	MI	Marine City	
		Muskegon	
		Monroe	
		Port Huron	
	MN	Sault Ste Marie	
		Two Harbors	
	MS	Greenville	
		Gulfport	
		Vicksburg	
	NH	Portsmouth	
	NJ	Perth Amboy	
	OH	Lorain	
	OK	Tulsa, Port of Catoosa	
	OR	Coos Bay	
	PA	Erie	
	PR	Guayanilla	
		Humancao	
		Jobs	
	RI	Newport	
		Providence	
	TN	Chattanooga	
	TX	Brownsville	
		Matagorda Matagorda Port Port Lavaca Victoria Port O'Connor	
Richmond			
Green Bay			
Milwaukee			
All Other Port Areas	Eligible entities not located within one of the port areas identified above, but operating under an AMSP, are eligible to compete for funding within "All Other Port Areas" Group	\$ 15,344,000	
Ferry Systems	Nineteen (19) high capacity ferry systems in thirteen (13) port areas are eligible to receive funds through the FY 2009 PSGP	\$ 5,000,000	
<b>Total FY 2009 PSGP Allocation</b>			<b>\$388,600,000</b>

Indicates port area that moved from All Other to Group III



*Presence on this list does not guarantee grant funding*

**Table 3  
FY 2009 PSGP Eligible Ferry Systems**

<b>State</b>	<b>Port Area</b>	<b>Eligible System</b>	<b>FY 2009 Allocation</b>
AK	Valdez	Alaska Marine Highway System	\$5,000,000
CA	San Francisco Bay Area	Golden Gate Bridge, Highway and Transportation District	
		City of Alameda Ferry Services (Blue and Gold Lines Fleet)	
		City of Vallejo Transportation Program	
	Los Angeles/Long Beach	Catalina Express	
CT/NY	Long Island Sound	The Bridgeport & Port Jefferson Steamboat Company	
		Cross Sound Ferry	
DE/NJ	Delaware Bay	Cape May Ferry System	
LA	New Orleans	Crescent City Connection Division – Louisiana Department of Transportation	
MA/RI	Boston	Massachusetts Bay Transportation Authority (MBTA)	
	Providence, RI	Woods Hole, Martha's Vineyard and Nantucket Steamship Authority	
NY/NJ	New York /New Jersey	New York City Department of Transportation	
		New York Waterways	
		Port Authority of New York and New Jersey (PANYNJ)	
		SeaStreak	
NC	Morehead City	North Carolina Ferry System	
TX	Houston-Galveston	Texas DOT (Bolivar Roads Ferry)	
VA	Hampton Roads	Jamestown Ferry	
WA	Puget Sound	Washington State Ferries	

## B. Cost Sharing

Cash and in-kind matches must consist of eligible costs (i.e. purchase price of allowable contracts, equipment). A cash match includes cash spent for project-related costs while an in-kind match includes the valuation of in-kind services. In-kind matches may not be used to meet matching requirements for any other Federal grant program (e.g. FY 2009 funds are used to purchase a mobile command center from a vendor, the vendor contributes or donates communications equipment associated with the mobile command center, the value of the donated equipment may be considered as an in-kind match for the PSGP award only). Please see 44 CFR §13.24 for further details regarding the cost share requirement (<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?type=simple;c=ecfr;cc=ecfr;sid=183d717ad04a78067db6a831421874ea;idno=44;region=DIV1;q1=13;rgn=div5;view=text;node=44%3A1.0.1.1.14>).

The following match requirements apply for the FY 2009 PSGP (including ferry systems):

- **Public Sector.** Public sector applicants must provide a non-Federal match (cash or in-kind) supporting at least **25 percent of the total project cost** for each proposed project.
- **Private Sector.** Private sector applicants must provide a non-Federal match (cash or in-kind) supporting at least **50 percent of the total project cost** for each proposed project.
- **Consortia Projects.** Applications for consortia projects submitted by public entities (where the consortia include both public and private entities), or under a requirement to utilize a FA, must provide a non-Federal match (cash or in-kind) supporting at least **25 percent of the total project cost** for each proposed project.
- **Exceptions.** There is no matching requirement for grant awards where the total award is \$25,000 or less (with the exception of national and/or regional corporations submitting eleven (11) or more projects throughout their system(s)). If the Secretary of Homeland Security determines that a proposed project merits support and cannot be undertaken without a higher rate of Federal support, the Secretary may approve grants with a matching requirement other than that specified above in accordance with 46 U.S.C.c§70107(c)(2)(B).

Cost share requirements **must** be included in applicant's Detailed Budgets. Public and private entities are encouraged to work together to meet the cost share requirements. While applications must demonstrate the cost share, applicants are reminded that the cost share does not have to be provided up-front and that they have up to the full 36 month award period to provide the cost share funding.

### **The non-Federal share for all construction activities must be a cash-match (hard).**

For all other projects submitted through the FA as an Investment Justification request under the port-wide planning process, the non-Federal match (cash or in-kind) is 25 percent of the total project cost. Because the FA represents and serves on behalf of the AMSC, a public sector entity, the public cost share requirement of 25 percent is applicable.

Cost share waivers may be granted only if the Secretary of DHS determines that (1) a proposed project merits support in light of the overall grant purpose and mission goals; and (2) the Secretary of DHS determines that the meritorious project cannot be undertaken without a higher rate of Federal support. Applicants are advised that waivers from the match requirement are not typically granted.

### **C. Restrictions**

Please see Section IV., E. for Management & Administration limits and allowable/unallowable costs guidance.

### **D. Other**

#### ***Fiduciary Agent Requirement***

For the past two rounds of funding, each Group I and Group II port area was required to select a single entity to act as the Fiduciary Agent (FA) for that port area. Those port areas remaining in Group I and Group II have been designated a specific amount of money for which eligible entities within that port area may apply through the FA.

The FA will serve as the principal point of contact with FEMA for application, management and administration of the FY 2009 PSGP award. The FA is responsible for ensuring that all sub-recipients are compliant with the terms and conditions of the award, including the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations and Federal Acquisition Regulation. The FA, however, is not the sole decision maker as to the use of these funds. The awards are conditioned so that a regional consensus, in conjunction with the Captain of the Port (COTP) and AMSC, must be reached on how the funding is to be used.

#### ***Fiduciary Agent Selection***

##### **1. Group I and Group II Port Areas**

For FY 2009, Group I and II port areas will have the option of continuing with their current FA or selecting a new FA. If a port area elects to change their FA, the designated COTP must certify in writing to the FEMA Program Office via USCG Headquarters (CG-5142) as to their new selection. Certifications to FEMA and USCG Headquarters (CG-5142) must be submitted 30 days prior to the application due date. For those port areas where the FEMA programmatic office has not received a certification from the COTP within 30 days prior to the application due date about a FA change will result in the continued use in FY 2009 of the same FA which was responsible for those port areas in FY 2008. The FA, whether current or new, must submit an application for the FY 2009 PSGP. Those ports selecting a new FA are to ensure that their new selectee is capable of professionally performing the duties of an FA as outlined above.

## **2. New Group II Port Areas**

Those port areas, which, as a result of the FY 2009 PSGP risk methodology are new to Group II, have the option of selecting an FA and beginning the FA process, or opting out of the FA process. If opting out of the FA process, individual eligible entities will apply directly to FEMA for funding and applicants must comply with all requirements of Group III and All Other Port Areas. Working through its AMSC process, each new Group II port area must certify in writing to the FEMA programmatic office via USCG Headquarters (CG-5142) which option their respective port area will pursue for FY 2009. Certifications to FEMA and USCG Headquarters must be done 30 days prior to the application due date. As the FA represents the interests of the entire AMSC, it is highly recommended that, if choosing to follow the FA process, AMSCs select a FA with the capacity to manage federal grants and be responsible for complying with the full breath and scope of FA responsibilities. The FA must be able to meet and comply with the administrative, National policy and reporting requirements outlined in this guidance. In particular, the FA must be able to comply with requirements set forth in applicable regulations, and OMB Circulars, <http://www.whitehouse.gov/omb/circulars/index.html>.

### ***Port Wide Risk Management Planning***

In order to receive FY 2009 PSGP funds, Group I and Group II port areas (excluding new Group II port areas that choose to opt out of the FA process) are required to develop or have in place an approved Port-Wide Risk Management/Mitigation Plan. They are also encouraged, but not required, to develop a Business Continuity/Resumption of Trade Plan. For purposes of their strategic planning, Group I and II port areas must take into consideration and incorporate all other port areas covered by their AMSP, in their plans and Investment Justifications.

The Plan(s) will align with and support the port areas' AMSP and the National Preparedness Guidelines, considering the entire port system strategically as a whole, and to identify and execute a series of actions designed to effectively mitigate risks to the system's maritime critical infrastructure. Building on the successes of previous years, during FY 2009 Group I and II ports are to seek PSGP funding which will ensure alignment with the programs and projects identified within the Plan(s) aimed at the following priorities:

- Expand the emphasis on port-wide partnerships, regional management of risk, and business continuity/resumption of trade
- Prioritize port-wide security strategies and actions that address surface, underwater, and land-based threats
- Target best risk-mitigation strategies achieving sustainable port-wide security and business continuity/resumption of trade planning
- Provide the basis for aligning specific grant-funded security projects under this and future year PSGP awards with the broader requirements of the AMSP

**Deliverables**

In order to provide a strong level of fiscal and programmatic oversight, timelines for the development of the plans will be imposed upon those ports new to Group II (see Table 2), who do not opt out of Group II, detailing specific deliverables that must be reviewed and approved at the local and Federal level. The first deliverable will be a Concept of Operations (CONOPS) for developing the Plan(s). The second deliverable will be a Draft Plan that will be provided to the local COTP and their AMSC for review and comment, and then to the Executive Steering Committee (ESC) for review and comment. The port areas will then be given a set amount of time to respond to the comments, and resubmit the Plan(s) for approval. The Federal partners will provide comments and feedback on each deliverable. Once the Plan(s) is approved as final, the port area will submit Investment Justifications based on the final Plan(s). Any projects eligible for grant funding must be certified by the COTP as having a port wide benefit. The deadlines for the deliverables are as follows:

**Timetable for Developing and Implementing  
Group I and Group II Port-Wide Plans**

<b>Deliverable</b>	<b>Due Date</b>	<b>Federal Comments</b>
<b>Concept of Operations</b>	30 calendar days after award date	Provided within 14 calendar days
<b>Draft Plan</b>	180 calendar days after CONOPS approval	Provided within 21 calendar days
<b>Final Plan</b>	90 calendar days after review and comments are received on the Draft Plan	Provided within 21 calendar days
<b>Investment Justifications</b> (for remaining funds from first round in the FA process)	30 calendar days after approval of Final Plan	Provided within 21 calendar days
<b>Investment Justifications</b> (for funds from subsequent rounds)	90 calendar days after approval of previous set of Investment Justifications	Provided within 21 calendar days

No more than twenty percent (20%) of the total award amount may be used in the development of the Port Wide Risk Management/Mitigation Plan and optional Business Continuity/Resumption of Trade Plan. Remaining funds will then be used to implement prioritized projects that provide the greatest risk reduction benefit for the port area as a whole, and which support the developed plan.

Allocated funding will be awarded through a Cooperative Agreement (CA) to allow a higher level of Federal involvement in assisting port areas in plan development and implementation.

## PART IV.

# APPLICATION AND SUBMISSION INFORMATION

### A. Address to Request Application Package

DHS participates in the Administration's e-government initiative. As part of that initiative, all applications must be filed using the Administration's common electronic "storefront" -- [grants.gov](http://www.grants.gov). Eligible entities must apply for funding through this portal, accessible on the Internet at <http://www.grants.gov>. To access application forms and instructions, select "Apply for Grants," and then select "Download Application Package." Enter the 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 [grants.gov](http://www.grants.gov) customer support hotline at (800) 518-4726.

### B. Content and Form of Application

**1. On-line application.** The on-line application must be completed and submitted using [grants.gov](http://www.grants.gov) after Central Contractor Registry (CCR) registration is confirmed.

The on-line application includes the following required forms and submissions:

- Investment Justification
- Any additional Required Attachments
- Standard Form 424, Application for Federal Assistance
- Standard Form 424A, Budget Information
- Standard Form 424B Assurances
- Standard Form 424C, Budget Information – Construction Form (if applicable)
- Standard Form 424D, Assurances – Construction Programs (if applicable)
- Standard Form LLL, Disclosure of Lobbying Activities

The program title listed in the Catalog of Federal Domestic Assistance (CFDA) is "*Port Security Grant Program*." The CFDA number is **97.056**. When completing the on-line application, applicants should identify their submissions as new, non-construction applications.

**2. Application via [grants.gov](http://www.grants.gov).** FEMA participates in the Administration's e-government initiative. As part of that initiative, all applicants must file their applications using the Administration's common electronic "storefront" -- [grants.gov](http://www.grants.gov). Eligible entities must apply for funding through this portal, accessible on the Internet at <http://www.grants.gov>.

3. **DUNS number.** The applicant must provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number with their application. This number is a required field within [grants.gov](http://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.
4. **Valid Central Contractor Registry (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 [grants.gov](http://grants.gov).
5. **Investment Justification.** As part of the FY 2009 PSGP application process, applicants must develop a formal Investment Justification that addresses each initiative being proposed for funding. These Investment Justifications must demonstrate how proposed projects address gaps and deficiencies in current programs and capabilities. The Investment Justification must demonstrate the ability to provide enhancements consistent with the purpose of the program and guidance provided by FEMA. Applicants must ensure that the Investment Justification is consistent with all applicable requirements outlined in this application kit.

#### ***Group I and Group II***

Group I and II Investment Justifications will not be required from the FA until the final Port-Wide Risk Management/Mitigation Plan and optional Business Continuity/Resumption of Trade Plan have been approved.

#### ***Group III, All Other Port Areas and Ferry Systems***

Group III (including newly identified Group II ports electing to opt out of Group II), All Other Port Areas and Ferry System Investment Justifications must be submitted with the grant application as a file attachment within [grants.gov](http://grants.gov). Applicants may propose up to three investments within their Investment Justification. The individual investments comprising a single application must take place within the same port area. Private companies that operate in more than one eligible port area must submit separate applications for investments in each port area. Applicants must provide information in the following categories for each proposed Investment:

1. Background
2. Strategic and program priorities
3. Impact
4. Funding and Implementation Plan

Applicants must use the following file naming convention when submitting required documents as part of the FY 2009 PSGP:

COTP Zone Abbreviation\_Port Area\_Name of Applicant\_ IJ Number  
(Example: Hous\_Galveston\_XYZ Oil\_IJ#1)

## PSGP Investment Justification Template

Investment Heading	
Port Area	
State	
Applicant Organization	
Investment Name	
Investment Amount	\$

### I. Background

*Note: This section only needs to be completed once per application, regardless of the number of Investments proposed. The information in this section provides background and context for the Investment(s) requested, but does not represent the evaluation criteria used by DHS for rating individual Investment proposals.*

I. Provide an overview of the port system in which this Investment will take place	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	<ul style="list-style-type: none"> <li>• Area of Operations:               <ul style="list-style-type: none"> <li>○ Identify COTP Zone</li> <li>○ Identify eligible port area</li> <li>○ Identify exact location of project site (i.e. physical address of facility being enhanced)</li> <li>○ Identify who the infrastructure (project site) is owned or operated by, if not by your own organization</li> </ul> </li> <li>• Point(s) of contact for organization (include contact information):               <ul style="list-style-type: none"> <li>○ Identify the organization's Authorizing Official for entering into grant agreement, including contact information (include sub-grantee entering agreement within Group 1 and 2 port areas under FA process)</li> <li>○ Identify the organization's primary point of contact for management of the project(s)</li> </ul> </li> <li>• Ownership or Operation:               <ul style="list-style-type: none"> <li>○ Identify whether the applicant is: (1) a private entity; (2) a state or local agency; or (3) a consortium composed of local stakeholder groups (i.e., river groups, ports, or terminal associations) representing federally regulated ports, terminals, US inspected passenger vessels or ferries.</li> </ul> </li> <li>• Role in providing layered protection of regulated entities (applicable to State or local agencies, consortia and associations only):               <ul style="list-style-type: none"> <li>○ Describe your organization's specific roles, responsibilities and activities in delivering layered protection</li> </ul> </li> <li>• Important features:               <ul style="list-style-type: none"> <li>○ Describe any operational issues you deem important to the consideration of your application (e.g., interrelationship of your operations with other eligible high-risk ports, etc.)</li> </ul> </li> </ul>
Response	

### II. Strategic and Program Priorities

II.A. Provide a brief abstract of the Investment	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	Provide a succinct statement summarizing this Investment
Response	



<b>II.B. Describe how the Investment will address one or more of the PSGP priorities and Area Maritime Security Plan or COTP Priorities (how it corresponds with PRMP for Group I and II)</b>	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	<ul style="list-style-type: none"> <li>• Describe how, and the extent to which, the investment addresses:               <ul style="list-style-type: none"> <li>○ Enhancement of Maritime Domain Awareness</li> <li>○ Enhancement of IED and WMD prevention, protection, response and recovery capabilities</li> <li>○ Training and exercises</li> <li>○ Efforts supporting the implementation of TWIC</li> </ul> </li> <li>• Area Maritime Security Plan and/or Captain of the Port Priorities</li> </ul>
Response	

### III. Impact

<b>III.A. Describe how the project offers the highest risk reduction potential at the least cost.</b>	
Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	<ul style="list-style-type: none"> <li>• Discuss how the project will reduce risk in a cost effective manner               <ul style="list-style-type: none"> <li>○ Discuss how this investment will reduce risk (e.g., reduce vulnerabilities or mitigate the consequences of an event) by addressing the needs and priorities identified in earlier analysis and review. For facility specific investments, the anticipated risk reduction in MSRAM should be included</li> </ul> </li> </ul>
Response	

<b>III.B. Describe current capabilities similar to this Investment</b>	
Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	<ul style="list-style-type: none"> <li>• Describe how many agencies within the port have existing equipment that are the same or have similar capacity as the proposed project</li> <li>• Include the number of existing capabilities within the port that are identical or equivalent to the proposed project</li> </ul>
Response	

### IV. Funding and Implementation Plan

- Complete the IV.A. to identify the amount of funding you are requesting for this investment only
- Funds should be requested by allowable cost categories as identified below
- Applicants must make funding requests that are reasonable and justified by direct linkages to activities outlined in this particular Investment

*Note: Investments will be evaluated on the expected impact on security relative to the amount of the investment (i.e., cost effectiveness). An itemized Budget Detail Worksheet and Budget Narrative must also be completed for this investment. See following section for a sample format.*

The following template illustrates how the applicants should indicate the amount of FY 2009 PSGP funding required for the investment, how these funds will be allocated across the cost elements, and the required cash or in-kind match:

IV.A. Investment Funding Plan	FY 2009 PSGP Request Total	Match (Cash or In-Kind)	Grand Total
<i>Maritime Domain Awareness</i>			
<i>IED and WMD Prevention, Protection, Response and Recovery Capabilities</i>			
<i>Training</i>			
<i>Exercises</i>			
<i>TWIC Implementation</i>			
<i>Operational Packages (OPacks)</i>			
<i>M&amp;A</i>			
<b>Total</b>			

IV.B. Provide a high-level timeline, milestones and dates, for the implementation of this Investment such as stakeholder engagement, planning, major acquisitions or purchases, training, exercises, and process/policy updates. <u>Up to 10</u> milestones may be provided.	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	<ul style="list-style-type: none"> <li>• Only include major milestones that are critical to the success of the Investment</li> <li>• Milestones are for this discrete Investment – those that are covered by the requested FY 2009 PSGP funds and will be completed over the 36-month grant period starting from the award date, giving consideration for review and approval process up to 12 months (estimate 24 month project period)</li> <li>• Milestones should be kept to high-level, major tasks that will need to occur (i.e. Design and development, begin procurement process, site preparations, installation, project completion, etc.)</li> <li>• List any relevant information that will be critical to the successful completion of the milestone (such as those examples listed in the question text above)</li> </ul>
Response	

## Ferry System Investment Justification Template

Investment Heading	
Port Area	
State	
Applicant Organization	
Investment Name	
Investment Amount	\$

### I. Background

*Note: This section only needs to be completed once per application, regardless of the number of Investments proposed. The information in this section provides background/context for the Investment(s) requested, but does not represent the evaluation criteria used by DHS for rating individual Investment proposals.*

I. Provide an overview of the ferry system in which this Investment will take place	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	<ul style="list-style-type: none"> <li>• Point(s) of contact for organization (include contact information):               <ul style="list-style-type: none"> <li>○ Identify the organization's Authorizing Official for entering into grant agreement, including contact information</li> <li>○ Identify the organization's primary Point of Contact (POC) for management of the project(s), including name and title, full mailing address, telephone numbers, fax number, and email address</li> </ul> </li> <li>• Infrastructure</li> <li>• Ridership data</li> <li>• Number of passenger miles</li> <li>• Number of vehicles per vessel, if any</li> <li>• Types of service and other important features</li> <li>• System map</li> <li>• Geographical borders of the system and the cities and counties served</li> <li>• Other sources of funding being leveraged for security enhancements</li> </ul>
Response:	

### II. Strategic and Program Priorities

II.A. Provide a brief abstract of the Investment	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	Provide a succinct statement summarizing this Investment
Response	

II.B. Describe how this Investment specifically addresses one or more of the ferry system priorities	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	Describe how the Investment addresses one or more of the following: <ul style="list-style-type: none"> <li>• Development and enhancement of capabilities to prevent, detect, respond to, and recover from improvised explosive device (IED) attacks</li> <li>• Mitigation of other high risk/high consequence assets and systems that have been identified through ferry system risk assessments;</li> <li>• Use of visible, unpredictable deterrence, such as K-9 teams</li> </ul>

	<ul style="list-style-type: none"> <li>• Utilization of mobile technology for prevention and detection of explosives or other threats and hazards (i.e. rad/nuke)</li> <li>• Development and enhancement of physical and perimeter security capabilities</li> <li>• Targeted counter-terrorism training for key front-line staff</li> <li>• Emergency preparedness drills and exercises</li> <li>• Public awareness and preparedness campaigns</li> </ul>
Response	

<b>II.C. Describe the relevance of this Investment to the Regional Transit Security Strategy and applicable State and/or Urban Area Homeland Security Strategy.</b>	
Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	Investments will be evaluated on the extent to which they support applicable regional and State homeland security planning efforts
Response	

### III. Impact

<b>III. Discuss how the implementation of this Investment will decrease or mitigate risk</b>	
Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	<ul style="list-style-type: none"> <li>• Discuss how this Investment will reduce risk (e.g., reduce vulnerabilities or mitigate the consequences of an event) by addressing the needs and priorities identified in earlier analysis and review</li> <li>• Identify the nature of the risk and how the risk and need are related to show how addressing the need through this Investment will also mitigate risk (e.g., reduce vulnerabilities or mitigate the consequences of an event)</li> </ul>
Response	

<b>III.B. Describe current capabilities similar to this Investment</b>	
Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	<ul style="list-style-type: none"> <li>• Describe how many agencies within the port have existing equipment that are the same or have similar capacity as the proposed project</li> <li>• Include the number of existing capabilities within the port that are identical or equivalent to the proposed project</li> </ul>
Response	

### IV. Funding and Implementation Plan

- Complete the IV.A. to identify the amount of funding you are requesting for this investment only
- Funds should be requested by allowable cost categories as identified below
- Applicants must make funding requests that are reasonable and justified by direct linkages to activities outlined in this particular Investment

*Note: Investments will be evaluated on the expected impact on security relative to the amount of the investment (i.e., cost effectiveness). An itemized Budget Detail Worksheet and Budget Narrative must also be completed for this investment. See following section for a sample format.*

The following template illustrates how the applicants should indicate the amount of FY 2009 PSGP ferry system funding required for the investment, how these funds will be allocated across the cost elements, and the required cash or in-kind match:

IV. A. Funding Plan	FY09 PSGP Ferry System Request Total	Match (Cash or In-Kind)	Grand Total
<i>Planning</i>			
<i>Operational Packages (OPacks)</i>			
<i>Equipment Acquisitions</i>			
<i>Training</i>			
<i>Exercises</i>			
<i>Management and Administration</i>			
<b>Total</b>			

IV.B. Provide a high-level timeline, milestones and dates, for the implementation of this Investment such as stakeholder engagement, planning, major acquisitions/purchases, training, exercises, and process/policy updates. <u>Up to 10 milestones may be provided.</u>	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	<ul style="list-style-type: none"> <li>• Only include major milestones that are critical to the success of Investment</li> <li>• While up to 10 milestones may be provided, grantees should only list as many milestones as necessary</li> <li>• Milestones are for this discrete Investment – those that are covered by the requested FY 2009 ferry systems funds and will be completed over the 36-month grant period</li> <li>• Milestones should be kept to high-level, major tasks that will need to occur</li> <li>• Identify the planned start date associated with the identified milestone. The start date should reflect the date at which the earliest action will be taken to start achieving the milestone</li> <li>• Identify the planned completion date when all actions related to the milestone will be completed and overall milestone outcome is met</li> <li>• List any relevant information that will be critical to the successful completion of the milestone (such as those examples listed in the question text above)</li> </ul>
Response	

- 6. Detailed Budget.** Applicants must also provide detailed budgets for the funds requested. The budget must be complete, reasonable, and cost-effective in relation to the proposed project. The budget should provide the basis of computation of all project-related costs (including M&A) and any appropriate narrative. **The budget must reflect the cost share requirement** (see Part III., B).

***Group I and Group II***

Group I and Group II Detailed Budgets will not be required from the FA until the final Port-Wide Risk Management/Mitigation Plan and optional Business Continuity/Resumption of Trade Plan have received final approval. This will correspond with the submittal of Investment Justifications, as noted on page 22.

***Group III, All Other Port Areas and Ferry Systems***

Group III (including newly identified Group II ports electing to opt out of Group II), All Other Port Areas and Ferry System applicants must submit their Detailed Budget with the grant application as a file name attachment within [grants.gov](http://grants.gov). Applicants must use the following file naming convention when submitting required documents as part of the FY 2009 PSGP:

COTP Zone Abbreviation\_Port Area\_Name of Applicant\_IJ Number\_Budget  
(Example: Hous\_Galveston\_XYZ Oil\_IJ#1\_Budget)

# Sample Budget Detail Worksheet

**A. Budget Detail Worksheet Purpose.**

The Budget Detail Worksheet may be used as a guide to assist applicants in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

**A. Personnel.** List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
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**Note:** Personnel costs are only allowable for direct management and administration of the grant award, i.e., preparation of mandatory post-award reports.

**TOTAL** \_\_\_\_\_

**B. Fringe Benefits.** Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman’s Compensation and Unemployment Compensation.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
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**TOTAL** \_\_\_\_\_

**Total Personnel & Fringe Benefits** \_\_\_\_\_

**C. Travel.** Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

<u>Purpose of Travel</u>	<u>Location</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
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**TOTAL** \_\_\_\_\_

**D. Equipment.** List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years. (Note: Organization’s own capitalization policy and threshold amount for classification of equipment may be used). Expendable items should be included either in the “Supplies” category or in the “Other” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
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**Budget Narrative:** Provide a narrative budget justification for each of the budget items identified.

**TOTAL** \_\_\_\_\_

**E. Supplies.** List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, hand held tape recorders) and show the basis for computation. (Note: Organization’s own capitalization policy and threshold amount for classification of supplies may be used). Generally, supplies include any materials that are expendable or consumed during the course of the project. These costs will contribute to the 3 percent M&A cap.

<u>Supply Items</u>	<u>Computation</u>	<u>Cost</u>
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**TOTAL** \_\_\_\_\_

**F. Consultants/Contracts.** Indicate whether applicant’s formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

**Consultant Fees:** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project.

<u>Name of Consultant</u>	<u>Service Provided</u>	<u>Computation</u>	<u>Cost</u>
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**Budget Narrative:** Provide a narrative budget justification for each of the budget items identified.

**Subtotal** \_\_\_\_\_

**Consultant Expenses:** List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging, etc.)

<u>Item</u>	<u>Location</u>	<u>Computation</u>	<u>Cost</u>
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**Budget Narrative:** Provide a narrative budget justification for each of the budget items identified.

**Subtotal** \_\_\_\_\_



**Contracts:** Provide a description of the product or services to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

<b><u>Item</u></b>	<b><u>Cost</u></b>
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**Budget Narrative:** Provide a narrative budget justification for each of the budget items identified.

**Subtotal** \_\_\_\_\_

**TOTAL** \_\_\_\_\_

**G. Other Costs.** List items (e.g., rent, reproduction, telephone, security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

<b><u>Description</u></b>	<b><u>Computation</u></b>	<b><u>Cost</u></b>
---------------------------	---------------------------	--------------------

**Budget Narrative:** Provide a narrative budget justification for each of the budget items identified.

**Important Note:** If applicable to the project, construction costs should be included in this section of the Budget Detail Worksheet.

**TOTAL** \_\_\_\_\_

**H. Indirect Costs.** Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

<b><u>Description</u></b>	<b><u>Computation</u></b>	<b><u>Cost</u></b>
---------------------------	---------------------------	--------------------

**TOTAL** \_\_\_\_\_

**Budget Summary** - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

<u>Budget Category</u>	<u>Federal Amount</u>	<u>Non-Federal Amount</u>
A. Personnel	_____	_____
B. Fringe Benefits	_____	_____
C. Travel	_____	_____
D. Equipment	_____	_____
E. Supplies	_____	_____
F. Consultants/Contracts	_____	_____
G. Other	_____	_____
<b>Total Direct Costs</b>	_____	_____
H. Indirect Costs	_____	_____
<b>* TOTAL PROJECT COSTS</b>	_____	_____
Federal Request	_____	
Non-Federal Amount	_____	

## 7. Memorandum of Understanding/Memorandum of Agreement (MOU/MOA)

**Requirement.** State and local agencies, as well as consortia or associations that are required to provide security services to MTSA regulated facilities pursuant to an AMSP, are eligible applicants. However, the security services provided must be addressed in the regulated entities' security plans. A copy of an MOU/MOA with the identified regulated entities will be required prior to funding, and must include an acknowledgement of the security services and roles and responsibilities of all entities involved. This information may be provided using one of the attachment fields within [grants.gov](http://grants.gov).

Entities that are required to provide security services to eligible Ferry System applicants (MTSA regulated facilities) pursuant to an AMSP are eligible applicants for Operational Packages (OPacks) only. In addition, the security services provided must be addressed in the regulated entities' security plan. A copy of a Memorandum of Understanding (MOU) or a Memorandum of Agreement (MOA) between those identified entities will be required prior to funding, and must include an acknowledgement of the security services and roles and responsibilities of all entities involved. The MOU/MOA must address the following points:

- The nature of the security that the applicant agrees to supply to the regulated facility (waterside surveillance, increased screening, etc)
- The roles and responsibilities of the facility and the applicant during different MARSEC levels.
- An acknowledgement by the facility that the applicant is part of their facility security plan.

If the applicant is mentioned as a provider of security services under the port's Area Maritime Security Plan, in lieu of an MOA/MOU, written acknowledgement from the Area Maritime Security Committee (AMSC) members, or a letter from the Federal Maritime Security Coordinator validating this status, will be acceptable. *In addition, MOA/MOUs submitted in previous PSGP award rounds will be acceptable, provided the activity covered also addresses the capability being requested through the FY 2009 PSGP.*

If applicable, the MOU/MOA for state or local law enforcement agencies and/or consortia providing layered protection to regulated entities must be submitted with the grant application as a file attachment within [grants.gov](http://grants.gov).

COTP Zone Abbreviation\_Port Area\_Name of Applicant\_MOU  
(Example: Hous\_Galveston\_Harris County\_MOU)

## Sample MOU/MOA Template

**Memorandum of Understanding / Agreement  
Between [provider of layered security] and [recipient of layered security]  
Regarding [provider of layered security's] use of port security grant program funds**

- 1. PARTIES.** The parties to this Agreement are the [Provider of Layered Security] and the [Recipient of security service].
- 2. AUTHORITY.** This Agreement is authorized under the provisions of [applicable Area Maritime Security Committee authorities and/or other authorities].
- 3. PURPOSE.** The purpose of this Agreement is to set forth terms by which [Provider of security service] shall expend Port Security Grant Program project funding in providing security service to [Recipient of security service]. Under requested FY 2009 PSGP grant, the [Provider of security service] must provide layered security to [Recipient of security service] consistent with the approach described in an approved grant application.
- 4. RESPONSIBILITIES:** The security roles and responsibilities of each party are understood as follows:
- (1). [Recipient of security service]
- Roles and responsibilities in providing its own security at each MARSEC level
- (2) [Provider of security service]
- An acknowledgement by the facility that the applicant is part of their facility security plan.
  - The nature of the security that the applicant agrees to supply to the regulated facility (waterside surveillance, increased screening, etc).
  - Roles and responsibilities in providing security to [Recipient of security service] at each MARSEC level.
- 5. POINTS OF CONTACT.** [Identify the POCs for all applicable organizations under the Agreement; including addresses and phone numbers (fax number, e-mail, or internet addresses can also be included).]
- 6. OTHER PROVISIONS.** Nothing in this Agreement is intended to conflict with current laws or regulations of [applicable state] or [applicable local Government]. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.
- 7. EFFECTIVE DATE.** The terms of this agreement will become effective on (EFFECTIVE DATE).
- 8. MODIFICATION.** This agreement may be modified upon the mutual written consent of the parties.
- 9. TERMINATION.** The terms of this agreement, as modified with the consent of both parties, will remain in effect until the grant end dates for an approved grant. Either party upon [NUMBER] days written notice to the other party may terminate this agreement.

**APPROVED BY:**

\_\_\_\_\_  
Organization and Title

(Date)

\_\_\_\_\_  
Signature

(Date)

### **C. Submission Dates and Times**

Completed applications must be submitted electronically through [www.grants.gov](http://www.grants.gov) no later than **11:59 PM EST, January 13, 2009**. Late applications will neither be considered nor reviewed. Upon successful submission, a confirmation e-mail message will be sent with a [grants.gov](http://www.grants.gov) tracking number, which is needed to track the status of the application. In order to avoid rejection of late submissions, due to whatever reason, submission of your IJs should be made as soon as possible.

### **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**

#### **1. Management and Administration Limits**

A maximum of three percent (3%) may be retained by the applicant. Any funds retained are to be used solely for management and administrative purposes associated with the PSGP award. Sub-recipients receiving pass-through funds from the FA may use up to 2.5 percent of their sub-award for management and administration purposes.

#### **2. Allowable Costs**

This section provides guidance on allowable costs for FY 2009 PSPG, including ferry systems.

#### ***Maritime Domain Awareness (MDA)***

Funds may be used for the following types of MDA projects:

- Deployment of access control/standardized credentialing systems
- Deployment of detection and surveillance equipment
- Development/enhancement of information sharing systems, including equipment (and software) required to receive, transmit, handle, and store classified information
- Creation/enhancement of maritime community watch programs
- Enhancements of command and control facilities
- Enhancement of interoperable communications/asset tracking for sharing terrorism threat information (including ensuring that mechanisms are interoperable with Federal, State, and local agencies)

Applicants interested in addressing MDA are encouraged to familiarize themselves with the National Strategy for Maritime Security: National Plan to Achieve Maritime Domain Awareness that can be found at: <http://www.uscg.mil/mda/Docs.htm>.

### ***IED and WMD Prevention, Protection, Response, Recovery Capabilities***

Funds may be used for the following types of IED and WMD prevention, protection, response and recovery capabilities for port areas:

#### **Port Facilities, Including Public Cruise Line and Terminals**

- Chemical, biological, radiological, nuclear and explosive agent detection sensors
- Canines
- Intrusion detection
- Small boats for State and local law enforcement marine patrol or security incident response
- Video surveillance systems
- Access control/standardized credentialing
- Improved lighting
- Secure gates and vehicle barriers
- Floating protective barriers
- Underwater intrusion detection systems
- Communications equipment (including interoperable communications)

#### **Vessels**

- Chemical, biological, radiological, nuclear and explosive agent detection sensors
- Restricted area protection (cipher locks, hardened doors, CCTV for bridges and engineering spaces)
- Communications equipment (including interoperable communications)
- Canines
- Access control and standardized credentialing
- Floating protective barriers

### ***Transportation Worker Identification Credential (TWIC)***

The TWIC is designed to be an open architecture, standards-based system. Port projects that involve new installations or upgrades to access control and credentialing systems, should exhibit compliance with TWIC standards and program specifications. Recipients of grant funding for the implementation of TWIC systems may be requested by the Federal government to apply these systems in a field test of TWIC readers in accordance with the SAFE Port Act. Systems implemented with grant funding may be used by recipients to comply with the TWIC rulemaking requirements. However, *the fees associated with the application for and issuance of the TWIC cards themselves are ineligible for award consideration.*

Allowable cost under this section include those projects that will ensure the safe and secure transit of foreign seafarers and shore staff/support [who are not eligible for Transportation Worker Identification Credentials] to and from the vessel while at MTSA regulated facilities.

Recipients may be expected to enter into a cooperative agreement with the Federal government with mutually agreed upon conditions to obtain data and lessons learned from the application of card readers and associated systems. A TWIC rulemaking that will address card reader requirements applied to MTSA-regulated facilities and vessels is expected to be published later this fiscal year. Systems implemented with grant funding may be used by recipients to comply with all TWIC rulemaking requirements.

## **Training**

Funding used for training will be limited to those courses that have been approved by MARAD, the USCG or FEMA (including MTSA 109 courses). More information may be obtained at:

- [http://www.marad.dot.gov/documents/MTSA\\_Updated\\_list\\_of\\_MTSA\\_certified\\_courses\\_SB.pdf](http://www.marad.dot.gov/documents/MTSA_Updated_list_of_MTSA_certified_courses_SB.pdf)
- [http://www.uscg.mil/nmc/mmic\\_appcourses.asp](http://www.uscg.mil/nmc/mmic_appcourses.asp)
- <http://www.ojp.usdoj.gov/odp/training.htm>

Funds may be used for the following training activities:

- **Training workshops and conferences.** Grant funds may be used to plan and conduct training workshops or conferences to include costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel and training plan development.
- **Certain full- or part-time staff and contractors or consultants.** Full- or part-time staff may be hired to support training-related activities. The services of contractors or consultants may also be procured by the State in the design, development, conduct and evaluation of CBRNE training. The applicant's formal written procurement policy, which must meet the minimum requirements of 44 CFR Part 13 or 2 CFR Part 215, or the Federal Acquisition Regulations (FAR) must be followed.
- **Public Sector Overtime and backfill costs.** Payment of overtime expenses will be for work performed by public sector employees of award or sub-award recipients in excess of the established work week (usually 40 hours). Further, overtime payments and backfill costs associated with sending personnel to training are allowable, provided that it is DHS approved training. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the State or unit(s) of local government and has the pre-approval of the State or the awarding agency, whichever is applicable. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government AND from an award for a single period of time (e.g., 1:00 pm to 5:00 pm), even though such work may benefit both activities. Fringe benefits on overtime hours are limited to Federal Insurance Contributions Act, Workers' Compensation and Unemployment Compensation.
- **Travel.** Travel costs (e.g., airfare, mileage, per diem, hotel) are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of the training project(s) or for attending DHS-approved courses or DHS-sponsored technical assistance programs.
- **Supplies.** Supplies are items that are expended or consumed during the course of the planning and conduct of the training project(s) (e.g., copying paper, gloves, tape, and non-sterile masks). These costs will contribute to the 3 percent M&A cap.
- **Other items.** These costs may include the rental of space/locations for planning and conducting training.

## **Exercises**

Funding used for exercises will only be permitted for those exercises that are in direct support of a facility or port area's MTSA required exercises. These exercises must be coordinated with the COTP and AMSC and adhere to the guidelines outlined in DHS Homeland Security Exercise and Evaluation Program (HSEEP). More information on HSEEP may be found at: [https://hseep.dhs.gov/pages/1001\\_hseep7.aspx](https://hseep.dhs.gov/pages/1001_hseep7.aspx). Funds may be used for the following exercise activities:

- **Exercise planning workshop.** Grant funds may be used to plan and conduct an exercise planning workshop, to include costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel and exercise plan development.
- **Certain full- or part-time staff and contractors or consultants.** Full- or part-time staff may be hired to support exercise-related activities. Payment of salaries and fringe benefits must be in accordance with the policies of the State or unit(s) of local government and have the pre-approval of the State or the awarding agency, whichever is applicable. The services of contractors or consultants may also be procured to support the design, development, conduct and evaluation of CBRNE exercises. The applicant's formal written procurement policy, which must meet the minimum requirements of 44 CFR Part 13 or 2 CFR Part 215, or the FAR must be followed.
- **Public Sector Overtime and backfill costs.** Overtime and backfill costs associated with the design, development and conduct of CBRNE exercises are allowable expenses. Payment of overtime expenses will be for work performed by public sector employees of award or sub-award recipients in excess of the established work week (usually 40 hours) related to the planning and conduct of the exercise project(s). Further, overtime payments and backfill costs associated with sending personnel to exercises are allowable, provided that the event being attended is a DHS sponsored exercise. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the State or unit(s) of local government and has the pre-approval of the State or the awarding agency, whichever is applicable. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government AND from an award for a single period of time (e.g., 1:00 pm to 5:00 pm), even though such work may benefit both activities. Fringe benefits on overtime hours are limited to the Federal Insurance Contributions Act, Workers' Compensation and Unemployment Compensation.
- **Travel.** Travel costs (e.g., airfare, mileage, per diem, hotel) are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of the exercise project(s).
- **Supplies.** Supplies are items that are expended or consumed during the course of the planning and conduct of the exercise project(s) (e.g., copying paper, gloves, tape, non-sterile masks, and disposable protective equipment). These costs will contribute to the 3 percent M&A cap.
- **Other Items.** These costs may include the rental of space/locations for exercise planning and conduct.



Examples of security exercise programs include:

- *Area Maritime Security Training and Exercise Program (AMStep):* AMStep is the USCG developed mechanism by which AMSCs and Federal Maritime Security Coordinators will continuously improve security preparedness in the port community. It is an integral part and a strategic implementation of the DHS HSEEP for the maritime sector. Rooted in long-standing USCG exercise policy and procedures, AMStep aligns to support the National Preparedness Guidelines and the National Strategy for Maritime Security. Through a structured approach, AMStep focuses all exercise efforts, both public and private, on improving the AMSPs and individual vessel and facility security plans of the nation's largest seaports.
- *Port Security Training and Exercise Program:* The Port Security Exercise Training Program (PortSTEP) was established by TSA to develop port security exercise and evaluation services and solutions for maritime and surface industry partners under TSA's guidance and direction. In association with the USCG, TSA has assembled a Program Team to provide strategic support, planning, and analytical and technical services for the delivery of a series of port security training exercises for the transportation security community. PortSTEP will provide forty port security training exercises through the applicable AMSCs between August 2005 and October 2009. These include a mix of basic tabletop, advanced tabletop and functional exercises. PortSTEP achieves several performance objectives aimed at improving the intermodal transportation industry's ability to prepare for and contend with a transportation security incident. These objectives are centered on increasing awareness, improving processes, creating partnerships, and delivering port incident training. More information on PortSTEP is available at: [http://www.tsa.gov/what\\_we\\_do/layers/portstep/editorial\\_with\\_table\\_0061.shtm](http://www.tsa.gov/what_we_do/layers/portstep/editorial_with_table_0061.shtm).
- *National Preparedness for Response Exercise Program:* The USCG National Preparedness for Response Exercise Program (PREP) focuses on exercise and evaluation of government area contingency plans and industry spill response plans (oil and hazardous substance). PREP is a coordinated effort of the four Federal agencies with responsibility for oversight of private-sector oil and hazardous substance pollution response preparedness: USCG, the U.S. Environmental Protection Agency, the U.S. Department of Transportation's Research and Special Programs Administration, and the U.S. Department of the Interior's Minerals Management Service. These agencies worked with Federal, State, and local governments, the oil and marine transportation industry, cleanup contractors, and the general public to develop the program. PREP meets the OPA mandate for exercises and represents minimum guidelines for ensuring overall preparedness within the response community. The guidelines, which are reviewed periodically through a public workshop process, outline an exercise program that satisfies the exercise requirements of the four Federal regulatory agencies. More information on PREP is available at: <http://www.uscg.mil/hq/nsfweb/download/PREP/MSPREP.PDF>

## ***Planning***

FY 2009 ferry system funds may be used for the following types of planning activities:

- Public education and outreach (such as reproduction of Transit Watch materials). Where possible, such activities should be coordinated with local Citizen Corps Council(s)
- Public Alert and warning systems and security education efforts
- Development and implementation of homeland security support programs and adoption of ongoing DHS national initiatives (including building or enhancing preventive radiological and nuclear detection programs)
- Development and enhancement of security plans and protocols
- Development or further strengthening of security assessments, including multi-agency and multi-jurisdictional partnerships and conferences to facilitate planning activities
- Hiring of full or part-time staff and contractors or consultants to assist with planning activities (not for the purpose of hiring public safety personnel)
- Materials required to conduct planning activities
- Travel and per diem related to professional planning activities
- Other project planning activities with prior approval from DHS

## ***Equipment Acquisition***

FY 2009 ferry system funds may be used for the following types of equipment:

- Personal protection equipment
- Explosive device mitigation and remediation equipment
- CBRNE, operational search and rescue equipment, logistical support equipment, reference materials or incident response vehicles, including response watercraft
- Information technology
- Cyber security enhancement equipment
- Interoperable communications equipment
- Detection equipment
- Decontamination equipment
- Power equipment
- Terrorism incident prevention equipment
- Physical security enhancement equipment

Unless otherwise noted, equipment must be certified that it meets required regulatory and/or DHS-adopted standards to be eligible for purchase using these funds; e.g., equipment must comply with the OSHA requirement for certification of electrical equipment by a nationally recognized testing laboratory (NRTL), and demonstrate compliance with relevant DHS-adopted standards through a supplier's declaration of conformity (SDOC) with appropriate supporting data and documentation per ISO/IEC 17050, parts 1 and 2. In addition, agencies must have all necessary certifications and licenses for the requested equipment, as appropriate, prior to the request and so certify within the IJ. A comprehensive listing of allowable equipment categories and types is on the web-based Authorized Equipment List on the Responder Knowledge Base at <https://www.rkb.us/lists.cfm>.

### ***Management and Administration (M&A) Costs***

FY 2009 PSGP funds may be approved for the following M&A costs:

- Hiring of full-time or part-time staff, contractors or consultants and M&A expenses related to meeting compliance with grant reporting or data collection requirements, including data calls
- Development of operating plans for information collection and processing necessary to respond to DHS data calls
- Travel expenses
- Meeting-related expenses

### ***Specific Guidance on Lighting***

All lighting must meet applicable Occupational Safety and Health Administration requirements.

### ***Specific Guidance on Sonar Devices***

DHS has determined certain sonar devices that will not damage the environment or require special permitting under the National Environmental Policy Act are eligible for funding under the PSGP. The four types of allowable sonar devices are: imaging sonar, scanning sonar, side scan sonar, and 3-dimensional sonar. These types of sonar devices are intended to support the detection of underwater improvised explosive devices and enhance Maritime Domain Awareness. The eligible types of sonar, and short descriptions of their capabilities, are provided below:

- *Imaging sonar*: A high-frequency sonar that produces “video-like” imagery using a narrow field of view. The sonar system can be pole-mounted over the side of a craft or hand carried by a diver
- *Scanning sonar*: Consists of smaller sonar systems that can be mounted on tripods and lowered to the bottom of the waterway. Scanning sonar produces a panoramic view of the surrounding area and can cover up to 360 degrees
- *Side scan sonar*: Placed inside of a shell and towed behind a vessel. Side scan sonar produces strip-like images from both sides of the device
- *3-dimensional sonar*: Produces 3-dimensional imagery of objects using an array receiver

### ***Specific Guidance on Repair and Replacement Costs***

Consistent with Informational Bulletin 293, repair and replacement allowable costs include repair and/or replacement of parts or equipment that will be used to support PSGP priorities. Projects including repair and replacement of parts or equipment must comply with all applicable PSGP requirements, including environmental regulations and budgetary reviews. All associated repair and replacement costs must be approved individually by the assigned Grant Programs Directorate PSGP Program Analyst. Any approval for this activity must be requested in writing by the grantee and written approval obtained from the program analyst prior to the work commencing or the purchase of the parts or equipment.

### ***Specific Guidance on Security Operational and Maintenance Costs***

Operational and allowable costs include cost of acquisition, operation, and maintenance of security equipment or facilities to be used for security monitoring and recording, security gates and fencing, marine barriers for designated security zones, security-related lighting systems remote surveillance, concealed video systems, security vessels, and other security-related infrastructure or equipment that contributes to the overall security of passengers, cargo, or crewmembers. In addition, routine maintenance costs for security monitoring, such as the cost of tapes for recording, are allowable. **However, business operations and maintenance costs, such as personnel costs and items generally characterized as indirect or “overhead” costs, are unallowable.** Additionally, consistent with Informational Bulletin 293 allowable costs associated with maintenance agreements and warranties shall not precede the award date, nor extend beyond the period of performance for the grant award. Any prorated costs of maintenance agreements and warranties that extend beyond the life of the award will continue to be the responsibility of the grantee. On-going maintenance costs (i.e. routine oil changes, monthly inspections, cleaning equipment, etc.) other than warranties and maintenance agreements established during initial purchase of parts and equipment are the responsibility of the grantee and will not be funded by PSGP awards.

### ***Specific Guidance on Vulnerability Assessment Costs***

The cost of conducting vulnerability assessments to evaluate and make recommendations with respect to security is an eligible cost under the FY 2009 PSGP. **However, the development of new risk/vulnerability assessment models and methodologies is unallowable.**

### ***Specific Guidance on Construction and Renovation***

The following types of construction and renovation projects are allowable under the FY 2009 PSGP:

- Maritime Domain Awareness Fusion Centers
- Maritime Security Operations Centers
- Port Security Operations Centers
- Port Security Emergency Communications Centers
- Any other building or physical facility that enhances access control to the port area

The above facilities would allow access only to public safety personnel and others on an as needed/need to know basis in accordance with the National Response Framework.

Eligible costs for construction and renovation may not exceed the greater of \$1,000,000 per project or such greater amount as may be approved by the Secretary, which may not exceed 10 percent of the total amount of the grant, as stated in the SAFE Port Act (Public Law 109-347).

Grant recipients are not permitted to use FY 2009 PSGP funds for construction projects that are eligible for funding under other Federal grant programs. PSGP

funds may only be used for construction activities directly related to port security enhancements.

All proposed construction and renovation activities must undergo an Environmental and Historic Preservation (EHP) review, including approval of the review from FEMA, prior to undertaking any action related to the project. These types of projects have the potential to affect environmental resources and historic properties through ground disturbance, impact to wetlands, floodplains, coastal zones, and other water resources, alteration of historically-significant properties, and impact to threatened and endangered species, and migratory birds. While all projects receiving Federal funding require an EHP review, any applicant that is proposing a construction project under the FY 2009 PSGP should pay special attention to the EHP requirements contained in Part VI (B, 4.7) of the Guidance. Failure of a grant recipient to meet these requirements may jeopardize Federal funding.

Construction activities under PSGP are subject to a **cash-match** cost share requirement, which may include cash spent for project-related costs. See pages 17-18 of this Guidance for further details on the cost sharing requirements.

Furthermore, FY 2009 PSGP recipients using funds for construction projects must comply with the Davis-Bacon Act. Grant recipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor wage determinations, is available from the following website:

<http://www.dol.gov/esa/programs/dbra/>.

### ***Specific Guidance on Canines Not Part of an Operational Package***

The USCG has identified canine explosive detection as the most effective solution for the detection of vehicle borne IEDs. Eligibility for funding of canine explosive detection programs is restricted to U.S. ferry systems regulated under 33 CFR Parts 101, 104 & 105, specifically U.S. ferry vessels carrying more than 500 passengers with vehicles, U.S. ferry vessels carrying more than 2,000 passengers, and the passenger terminals these specific ferries service. Additionally, only owners and operators of these specific ferries and terminals and port authorities or State, local authorities that provide layered protection for these operations and are defined in the vessel's/terminal's security plans as doing so are eligible.

- **Eligible costs.** Eligible costs include: purchase, training and certification of canines; all medical costs associated with initial procurement of canines; kennel cages used for transportation of the canines and other incidentals associated with outfitting and set-up of canines (such as leashes, collars, initial health costs and shots, etc.). Eligible costs also include initial training and certification of handlers.
- **Ineligible costs.** Ineligible costs include but are not limited to: hiring, costs associated with handler annual salary (unless otherwise specifically applicable per the OPack requirements outlined on the following pages),

- travel and lodging associated with training and certification; meals and incidentals associated with travel for initial certification; vehicles used solely to transport canines; and maintenance or recurring expenses (such as annual medical exams, canine food costs, etc).
- **Certification.** Canines used to detect explosives must be certified by an appropriate, qualified organization. Such canines should receive an initial basic training course and weekly maintenance training sessions thereafter to maintain the certification. The basic training averages 10 weeks for the canine team (handler and canine together) with weekly training and daily exercising. Comparable training and certification standards, such as those promulgated by the TSA Explosive detection canine program, the National Police Canine Association (NPCA), the U.S. Police Canine Association (USPCA) or the International Explosive Detection Dog Association (IEDDA) may be used to meet this requirement.<sup>2</sup>
  - **Submission requirements.** Successful applicants will be required to submit an amendment to their approved Vessel Security Plan as per 33 CFR Part §104.415 detailing the inclusion of a canine explosive detection program into their security measures. Applicants are encouraged to thoroughly review the fiscal obligations of maintaining a long-term canine explosive detection program. If applicable, successful applicants will be required to submit an amendment to their approved Vessel Security Plan per 33 CFR Part §104.415 detailing the inclusion of a canine explosive detection program into their security measures.
  - **Additional resources available for canine costs.** DHS is aware that the financial obligations of a canine explosive detection Program can be burdensome. The PSGP, while providing the ability to defray some start up costs, does not cover any recurring costs associated with such programs. However, the Transit Security Grant Program and Homeland Security Grant Program are two additional DHS grant programs that can provide funding for certain operational costs associated with heightened states of alert within the port area and nationally. DHS strongly encourages applicants to investigate their eligibility, and potential exclusions, for these resources when developing their canine programs.

### ***Explosives Detection Canine Team Operational Packages***

Explosives Detection Canine Team Operational Packages (OPacks) are available for funding only to eligible Group I, Group II (excluding new Group II port areas that elect to opt out of Group II) and ferry systems, as previously noted. DHS considers OPacks to be effective tactics for supporting security priorities. When combined with the existing capability of a port or ferry security/police force, the added value provided through the addition of a canine team is significant. OPacks are a proven, reliable resource to detect explosives and are a key component in a balanced counter-sabotage program. Canine teams also provide the added psychological

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<sup>2</sup> Training and certification information can be found at: <http://www.tsa.gov/public/display?theme=32>, <http://www.npca.net>, <http://www.uspcak9.com/html/home.shtml>, and <http://www.bombdog.org/>.

deterrent achieved solely through their presence. Such operational efficiency cannot be obtained through borrowed use of local police force-operated canine teams, as the needs of the local jurisdiction will always be their first priority. Therefore, the PSGP will provide funds to establish dedicated port or ferry system security/police force canine teams.

DHS encourages port and ferry systems to develop innovative layered approaches to enhance both human, facility and vessel(s) security. Helping port and ferry systems increase randomness, unpredictability, and ultimate effectiveness of monitoring and patrol in their security and terrorism prevention programs is critical to National port and ferry security. Use of OPacks supports these efforts.

The funding for OPacks will be a one time allowance. The period of performance for OPacks is 36 months. Applicants may apply for up to \$450,000 (\$150,000/year for 3 years) to support this endeavor. At the end of the grant period (36 months) grantees will be responsible for maintaining the heightened level of capability provided by the OPack.

Funds for these canine teams may **not** be used to fund drug detection and apprehension technique training. Only explosives detection training for these canine teams will be funded. PSGP OPack funds may only be used for **new** capabilities/programs and cannot be used to pay for existing capabilities/programs (e.g. canine teams) already supported by the port area or system. Non-supplanting restrictions apply.

OPacks must meet the following requirements:

- Each canine team, composed of one dog and one handler, must be certified by an appropriate, qualified organization
- Canines should receive an initial basic training course and also weekly maintenance training sessions thereafter to maintain the certification
- The basic training averages 10 weeks for the team, with weekly training and daily exercising (comparable training and certification standards, such as those promulgated by the TSA Explosive Detection Canine Program, the NPCA, the USPCA, or the IEDDA may be used to meet this requirement<sup>3</sup>). Certifications should be kept on file with the grantee and made available to DHS upon request

Allowable expenses **for OPacks** include:

- Salary and fringe benefits
- Training and certifications (travel costs associated with training for personnel, handlers, and canines are allowable)
- Equipment costs
- Purchase and Train a Canine (training specific to the detection of common explosives odors is allowable)
- Canine costs (canine costs include but are not limited to: veterinary, housing, and feeding costs)

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<sup>3</sup> Training and certification information can be found at: <http://www.tsa.gov/lawenforcement/programs>, <http://www.npca.net>, <http://www.uspcak9.com>, and <http://www.bombdog.org>.

### 3. Unallowable Costs

The following projects and costs are considered ineligible for award consideration:

- The development of risk/vulnerability assessment models and methodologies
- Projects in which Federal agencies are the primary beneficiary or that enhance Federal property
- Projects that study technology development for security of national or international cargo supply chains (e.g., e-seals, smart containers, container tracking or container intrusion detection devices)
- Proof-of-concept projects
- Projects involving training and exercises that do not meet MTSA standards and/or requirements set by MTSA or DHS
- Projects that do not provide a compelling security benefit (e.g., primarily economic or safety vs. security)
- Projects that duplicate capabilities being provided by the Federal government (e.g., vessel traffic systems)
- Proposals in which there are real or apparent conflicts of interest
- Personnel costs (except for those specifically identified in this guidance)
- Business operating expenses (certain security-related operational and maintenance costs are allowable. -- see "Security Operational and Maintenance Costs" for further guidance)
- TWIC card fees
- Signage, projects for placarding and billboards, or hard fixed structure signage
- Reimbursement of pre-award security expenses
- Outfitting facilities, vessels or other structures with equipment or items providing a hospitality benefit rather than a direct security benefit. Examples of such equipment or items include, but are not limited to: office furniture, CD players, DVD players, AM/FM radios and the like
- Weapons and associated equipment (i.e. holsters, optical sights and scopes), including, but not limited to: non-lethal or less than lethal weaponry including firearms, ammunition, and weapons affixed to facilities, vessels or other structures
- 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 or response functions), general-use vehicles and licensing fees
- Other items not in accordance with the AEL or previously listed as allowable costs
- Land acquisitions and right of way purchases



## PART V.

# APPLICATION REVIEW INFORMATION

### A. Review Criteria

The four core PSGP criteria are as follows:

- **Criteria #1.** Projects that support PSGP funding priorities identified in this *Program Guidance and Application Kit* package:
  - Enhancement of the port area's MDA (e.g., access control/standardized credentialing, command and control, communications, and enhanced intelligence sharing and analysis)
  - Enhancement of the port area's prevention, protection, response and recovery capabilities (e.g., capabilities that would help mitigate potential IED, WMD attacks via small craft, underwater swimmers, or onboard passenger and vehicle ferries)
  - Training and exercises (e.g., training programs approved by USCG and MARAD to ensure an appropriate level of capability on the part of port staff and management; exercises that test the ability of the port area to prevent, detect, respond to and recover from potential terrorist attacks)
  - TWIC implementation projects (minus application and card purchase costs)
- **Criteria #2.** Projects that address priorities outlined in the applicable AMSP, as mandated under the MTSA
- **Criteria #3.** Projects that address additional security priorities based on the COTP's expertise and experience with the specific port area
- **Criteria #4.** Projects that offer the highest potential for risk reduction for the least cost

Ferry System applications will be evaluated and ranked based on:

- **Security priorities.** The extent to which project(s) address the ferry system priorities outlined in the *FY 2009 PSGP Program Guidelines and Application Kit*.
- **Cost effectiveness.** The expected impact on security relative to the investment.
- **Ability to reduce risk of catastrophic events.**
- **Sustainability without additional Federal funds and leveraging of other funding.** The extent to which project(s) exhibit a likelihood of success, or continued success, without requiring additional Federal assistance, as well as the ability of the applicant to meet the relevant cost share requirements.
- **Relevance to the AMSP (if applicable).** The extent to which project(s) coordinate with area maritime security planning efforts.
- **Timelines.** The ability of the applicant to complete the proposed project(s) within submitted timeframes which may be extended due to requests by FEMA for further data and/or internal EHP or Financial auditing

## B. Review and Selection Process

- 1. Initial Screening.** FEMA will conduct an initial review of all FY 2009 PSGP applications. Group III (including FY 2008 Group II port areas that moved or elected to move to Group III in FY 2009), All Other Port Areas and Ferry System applications passing this review will be grouped by port area and provided to the applicable COTP for further review.
- 2. Field Review.** Field-level reviews will be managed by the applicable COTP in coordination with the Director of the U.S. Department of Transportation's Maritime Administration's Gateway Office and appropriate personnel from the AMSC and/or local law enforcement, as identified by the COTP. To support coordination of and regionalization of security grant application projects with State and Urban Area homeland security strategies, as well as other State and local security plans, the COTP will coordinate the results with the applicable State administrative agency or agencies and State homeland security advisor(s).

The COTP will submit field review evaluations that include the following:

- Group I and Group II field reviews do not occur until post-award, after the final Port-Wide Risk Management/Mitigation Plan and optional Business Continuity/ Resumption of Trade Plan have been approved. Group I and II COTPs will ensure their projects are in compliance with the Plan(s) as developed with the funding priorities. The applicant must indicate the projects' prioritized listing from the Plan(s).
- Group III, All Other Port Areas and Ferry System field reviews occur immediately following the initial screening. Each specific application is scored for compliance with criteria enumerated in the previous section
- A total score is computed with all proposals received from each port being ranked from highest to lowest in terms of their contributions to regional risk reduction and cost effectiveness
- Specific notation if other entities within the port region have similar capabilities and the need for or lack thereof for redundancy

After completing field reviews, COTPs will submit the field review project scores and prioritized lists to FEMA to begin coordination of the national review process.

- 3. National Review.** Following the field review, a National Review Panel will be convened with subject matter experts drawn from DHS and the Department of Transportation. The purpose of the National Review is to identify a final, prioritized list of eligible projects for funding. The National Review Panel will conduct an initial review of the prioritized project listings for each port area submitted by the USCG's COTP to ensure that the proposed projects will accomplish intended risk mitigation goals. The National Review Panel will validate the Field Review COTP Project Priority List and provide a master list of prioritized projects by port area.<sup>4</sup>

A risk-based algorithm will then be applied to the National Review Panel's validated, prioritized list for each port area in Groups III, All Other Port Areas and ferry systems. The algorithm considers the following factors to produce a comprehensive national priority ranking of port security proposals:

- Relationship of the project to one or more of the national port security priorities
- Relationship of the project to the local port security priorities
- COTP ranking (based on each COTP's prioritized list of projects)
- Risk level of the port area in which the project would be located (based on a comprehensive risk analysis performed by DHS)

The National Review Panel will be asked to evaluate and validate the consolidated and ranked project list resulting from application of the algorithm. Awards will be made based on the final ranked list of projects identified by the National Review Panel and available funding.

Historically, the PSGP has provided full funding, rather than partial funding, for proposed PSPG projects. Typically, several applicants make requests for projects that are so large that funding is denied because there is not enough grant money available to cover the total project cost.

### **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 *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009* (Public Law 110-329). Awards will be made on or before September 30, 2009.

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<sup>4</sup> The National Review Panel will have the ability to recommend partial funding for individual projects and eliminate others that are determined to be duplicative or require a sustained Federal commitment to fully realize the intended risk mitigation. The National Review Panel will also validate proposed project costs. Decisions to reduce requested funding amounts or eliminate requested items deemed inappropriate under the scope of the FY 2009 PSGP will take into consideration the ability of the revised project to address the intended national port security priorities and achieve the intended risk mitigation goal. Historically, the PSGP has placed a high priority on providing full project funding rather than partial funding.

## PART VI.

# AWARD ADMINISTRATION INFORMATION

### A. Notice of Award

Upon approval of an application, the grant will be awarded to the grant recipient. 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 grantee official. Follow the directions in the notification and log into GMS to access the award documents. The authorized grantee official should carefully read the award and special condition documents. If you do not receive a notification, please contact your Program Analyst for your award number. Once you have the award number, contact the GMS Help Desk at (888) 549-9901, option 3, to obtain the username and password associated with the new award.

The period of performance is 36 months. Any unobligated funds will be deobligated at the end of the 90 day 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.

### B. Administrative and National Policy Requirements

**1. Standard Financial Requirements.** The grantee and any subgrantee 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 (OMB Circular A-110)

#### 1.2– Cost Principles.

- 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)
- 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
- 2 CFR Part 230, Cost Principles for Non-Profit Organizations (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 A-87, 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 Circular 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.

**1.5 – Buy American Act.** Grant recipients of the FY 2009 PSGP must follow the standards identified in the Buy American Act, 41 U.S.C. §§10a-10d. The Buy American Act requires that all supplies and construction materials purchased be produced in the United States, unless such materials are not reasonably available, or such a purchase would not be in the public interest. Grant recipients must follow the Federal Acquisition Regulations implementing the Buy American Act, 48 CFR Part 25.

**2. 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.

### **3. Technology Requirements.**

**3.1– 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>.

**3.2– 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>.

**3.3– 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. Administrative Requirements.

**4.1– 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 applicant may also consult FEMA regarding concerns or questions about the release of information under State and local laws. 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.

**4.2– Protected Critical Infrastructure Information (PCII).** The PCII Program, established pursuant to the Critical Infrastructure Information Act of 2002 (Public Law 107-296) (CII Act), created a new framework, which enables State and local jurisdictions and members of the private sector to voluntarily submit sensitive information regarding critical infrastructure to DHS. The Act also provides statutory protection for voluntarily shared CII from public disclosure and civil litigation. If validated as PCII, these documents can only be shared with authorized users who agree to safeguard the information.

PCII accreditation is a formal recognition that the covered government entity has the capacity and capability to receive and store PCII. DHS encourages all entities to pursue PCII accreditation to cover their State government and attending local government agencies. Accreditation activities include signing a memorandum of agreement (MOA) with DHS, appointing a PCII Officer, and implementing a self-inspection program. For additional information about PCII or the accreditation process, please contact the DHS PCII Program Office at [pcii-info@dhs.gov](mailto:pcii-info@dhs.gov).

**4.3– 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.*  
– no person on the grounds of race, color, or national origin will 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.

- *Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794* – no qualified individual with a disability in the United States, shall, by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance.
- *Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et. seq.* – discrimination on the basis of sex is eliminated in any education program or activity receiving Federal financial assistance.
- *The Age Discrimination Act of 1975, as amended, 20 U.S.C. 6101 et. seq.* – no person in the United States shall be, on the basis of age, excluded from participation in, denied the benefits of or subjected 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.

**4.4– 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>

**4.5– 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 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 Lessons Learned Information Sharing, you can request membership by registering online.

**4.6– Compliance with the National Energy Conservation Policy and Energy Policy Acts.** In accordance with the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009* (Public Law 110-329), grant funds must comply with the following two requirements:

- None of the funds made available shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).



- None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC13212).

**4.7– Environmental and Historic Preservation Compliance.** FEMA is required to consider the potential impacts to the human and natural environment of projects proposed for FEMA funding. FEMA, through its Environmental and Historic Preservation (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, 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 children and low-income and minority populations.

The grantee shall provide any information requested by FEMA to ensure compliance with applicable Federal EHP requirements. Any project with the potential to impact EHP resources cannot be initiated until FEMA has completed its review. Grantees may be required to provide detailed information about the project, including the following: location (street address or map coordinates); description of the project including any associated ground disturbance work, extent of modification of existing structures, construction equipment to be used, staging areas, access roads, etc.; year the existing facility was built; natural, biological, and/or cultural resources present in the project vicinity; visual documentation such as site and facility photographs, project plans, maps, etc; and possible project alternatives.

For certain types of projects, FEMA must consult with other Federal and State 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 protecting natural and cultural resources. For projects with the potential to have significant adverse effects on the environment and/or historic properties, FEMA’s EHP review 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.

Because of the potential for significant 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 these funds toward the costs of preparing such documents and/or implementing treatment or mitigation measures. Failure of the grantee to meet Federal, State, and local EHP requirements, obtain applicable

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.

Recipient shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and **modifications to buildings, structures and objects** that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work 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 FEMA and the appropriate State Historic Preservation Office. **Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for FEMA funding.**

For more information on FEMA's EHP requirements, grantees should refer to FEMA's Information Bulletin #271, *Environmental Planning and Historic Preservation Requirements for Grants*, available at <http://ojp.usdoj.gov/odp/docs/info271.pdf>. Additional information and resources can also be found at <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtml>.

**4.8– 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.

**4.9– 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 FEMA's Grant Programs Directorate, 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's Grant Programs Directorate or the U.S. Department of Homeland Security."

**4.10 – Equipment Marking.** Applicants are advised that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the U.S. Department of Homeland Security."

**4.11 – 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.

**4.12 – National Preparedness Reporting Compliance.** The Government Performance and Results Act (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 the Department of Homeland Security, Office of the Inspector General, or the Government Accountability Office.

### **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). Please note that FEMA Payment and Reporting System (PARS) contains edits that will prevent access to funds if reporting requirements are not met on a timely basis.

- 1. Financial Status Report (FSR) – required quarterly.** Obligations and expenditures must be reported on a quarterly basis through the FSR, which is due within 30 days of the end of each calendar quarter (e.g., for the quarter ending March 31, FSR 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 FSR is due 90 days after the end date of the performance period.

**FSRs must be filed online** through the 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. Categorical Assistance Progress Report (CAPR).** Following an award, the awardees will be responsible for submitting CAPRs on a semi-annual basis; CAPRs should address performance measures and activities as described in the Investment Justification(s). The applicable entities are responsible for completing and submitting the CAPR reports.

The CAPR 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.

CAPRs 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: CAPR (due semi-annually).***

- 3. Exercise Evaluation and Improvement.** Exercises, implemented with grant funds, should be threat and performance-based and should evaluate performance of the targeted capabilities required to respond to the exercise scenario. Guidance related to the conduct exercise evaluations and the implementation of improvement is defined in the *Homeland Security Exercise and Evaluation Program (HSEEP) Manual* located at <http://www.fema.gov/government/grant/administration.shtm>. Grant recipients must report on scheduled exercises and ensure that an After Action Report (AAR) and Improvement Plan (IP) are prepared for each exercise conducted with FEMA support (grant funds or direct support) and submitted to the FEMA secure Portal (<https://preparednessportal.dhs.gov/>) within 60 days following completion of the exercise.

The AAR documents the demonstrated performance of targeted capabilities and identifies recommendations for improvements. The IP outlines an exercising jurisdiction(s) plan to address the recommendations contained in the AAR. At a minimum, the IP must identify initial action items and be included in the final AAR. Guidance for the development of AARs and IPs is provided in the HSEEP manual.

***Required submissions: AARs and IPs (as applicable).***

- 4. 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 the U.S. General Accountability Office, *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 2009 PSGP 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 grantee shall require that sub-grantees 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.

### ***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 office-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.

### ***Grant Close-Out Process***

Within 90 days after the end of the period of performance, grantees must submit a final FSR and final CAPR 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 FSR. The grantee is responsible for returning any funds that have been drawdown but remain as unliquidated on grantee financial records.

***Required submissions: (1) Final SF-269a, due 90 days from end of grant period  
(2) Final CAPR, due 90 days from end of grant period***

## PART VII.

# FEMA CONTACTS

This section describes several resources that may help applicants in completing a FEMA grant application. During the application period DHS will identify multiple opportunities for a cooperative dialogue between the Department and applicants. This commitment is intended to ensure a common understanding of the funding priorities and administrative requirements associated with the FY 2009 PSGP and to help in submission of projects that will have the highest impact on reducing risks.

- 1. Centralized Scheduling & Information Desk (CSID) Help Line.** CSID is a non-emergency resource for use by emergency responders across the nation. CSID is a comprehensive coordination, management, information, and scheduling tool developed by DHS through FEMA for homeland security terrorism preparedness activities. CSID provides general information on all FEMA grant programs and information on the characteristics of CBRNE, agro-terrorism, defensive equipment, mitigation techniques, and available Federal assets and resources.

CSID maintains a comprehensive database containing key personnel contact information for homeland security terrorism preparedness programs and events. These contacts include personnel at the Federal, State and local levels. CSID can be contacted at (800) 368-6498 or [askcsid@dhs.gov](mailto:askcsid@dhs.gov). CSID hours of operation are from 8:00 am–6:00 pm (EST), Monday-Friday.

- 2. Grant Programs Directorate (GPD).** FEMA GPD will provide fiscal support, including pre- and post-award administration and technical assistance, to the grant programs included in this solicitation. Additional guidance and information can be obtained by contacting the FEMA Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov).
- 3. GSA's State and Local Purchasing Programs.** The U.S. General Services Administration (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 U.S. General Services Administration 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.*

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.gsaelibrary.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](mailto:tricia.reed@gsa.gov), (571) 259-9921. More information is available on all GSA State and local programs at: [www.gsa.gov/stateandlocal](http://www.gsa.gov/stateandlocal).

- 4. Exercise Direct Support.** FEMA provides support to Regions, States, and local jurisdictions in accordance with State Homeland Security Strategies and the Homeland Security Exercise and Evaluation Program (HSEEP). Support is available to conduct a Training and Exercise Plan (TEP) workshop, to develop a Multi-year TEP, and to build or enhance the capacity of a jurisdiction to design, develop, conduct, and evaluate effective exercises.

In FY 2009, support for planning and conduct of exercises has shifted in strategy from a State-focused approach, organized by National Preparedness Directorate Headquarters, to a regional (multi-State) approach, organized by the FEMA Regions, to more effectively integrate national, regional, territorial, tribal, State, and local preparedness exercises. At this time, the Regional Exercise Support Program will support discussion-based exercises (i.e., seminar, workshop or tabletop), operations-based exercises (i.e. drills, functional exercises, full scale exercises), and TEP workshops within each of the 10 FEMA Regions. The Regional Exercise Support Program support is not limited to new exercise initiatives and can be applied to ongoing exercises to maintain continuity of existing planning schedules. Applicants are encouraged to coordinate requests for exercise support through the appropriate FEMA Regional Exercise Officer. State requests for support will be considered, however, priority will be given to exercise initiatives that support collaboration within a Region.

Additional guidance on the Regional Exercise Support Program to include the application process and information on the HSEEP is available on the HSEEP website, <https://hseep.dhs.gov>.

- 5. Homeland Security Preparedness Technical Assistance Program.** The Homeland Security Preparedness Technical Assistance Program (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.

More information can be found at [http://www.fema.gov/about/divisions/pppa\\_ta.shtm](http://www.fema.gov/about/divisions/pppa_ta.shtm).

- 6. Lessons Learned Information Sharing (LLIS) System.** LLIS is a national, online, secure website that houses a collection of peer-validated lessons learned, best practices, AARs from exercises and actual incidents, 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 is <https://www.llis.gov>.



**7. Information Sharing Systems.** FEMA encourages all State, regional, local, and Tribal entities using FY 2009 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](mailto: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.

## PART VIII.

# OTHER INFORMATION

### ***The Domestic Nuclear Detection Office (DNDO)***

The DNDO is the primary agency within the U.S. Government responsible for developing the global nuclear detection architecture, acquiring and supporting the deployment of the domestic detection system to detect and reporting attempts to import or transport a nuclear device or fissile or radiological material, intended for illicit use. The DNDO is conducting both evolutionary (near-term) and transformational (long-term) research, development, test, and evaluation (RDT&E) programs to improve the Nation's capabilities for detection, identification, and reporting of rad/nuc materials. By integrating RDT&E programs with operational support responsibilities, DNDO will ensure technologies are appropriately deployed, with training materials and well-developed operational response protocols. Working with Federal, State, local, and tribal partners, DNDO has piloted initial training programs and developed detection alarm protocols that can be customized for specific operational missions.

The DNDO believes that a layered defense incorporating a variety of detection capabilities ensures the greatest probability of detection for radioactive substances entering and transported within the country. This layered detection strategy should include detection equipment and facilities that are specifically chosen based on the local operating environment.

While these technologies are a critical tool to combat terrorism, the nuclear threat is not one that can be effectively countered by technology alone. Accordingly, DNDO supports the development of comprehensive preventative rad/nuc detection (PRND) capabilities across State, local and tribal entities by developing the necessary training, exercise support, equipment test reports, information sharing capabilities, and program tools to create a fully integrated operating environment. These resources include: providing technical reachback support to Federal, State, local and tribal operators; development of standardized training curricula and response protocols; conducting comprehensive assessments of existing technologies to inform application and acquisition; providing program development tools and guidance for immediate application by policy makers and operators; and the development of a robust national situational awareness and analysis capability through the Joint Analysis Center. Such resources can be used by State, local and tribal entities to build or enhance a comprehensive PRND program, or to develop specific PRND in areas such as commercial vehicle inspection, special events screening, small maritime craft monitoring, and fixed infrastructure protection.

More information is available on the DNDO website:  
[http://www.dhs.gov/xabout/structure/qc\\_1192453550101.shtm](http://www.dhs.gov/xabout/structure/qc_1192453550101.shtm).

### ***Requirements Specific to For-Profit Entities***

For-profit organizations are eligible to apply for funding under the PSGP. The following requirements apply specifically to for-profit entities receiving Federal funding from FEMA.

1. Recipients of PSGP funds must comply with the contract cost principles as defined in the Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations
2. For purposes of financial and procedural administration of the PSGP, recipients must comply with 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (OMB Circular A-110).
3. Recipient of PSGP funds agree that this award may be terminated in accordance with 2 CFR Part 215.61. If the Federal Government determines that a grant will be terminated, it will be carried out in accordance with the process specified in Part 49 of the FAR.
4. Recipients of PSGP funds may not make a profit as a result of this award or charge a management fee for the performance of this award.
5. Recipients of PSGP funds must have a financial audit and compliance audit performed by qualified individuals who are organizationally, personally, and externally independent from those who authorize the expenditure of federal funds. This audit must be performed in accordance with the United States General Accountability Office Government Auditing Standards. The audit threshold contained in OMB Circular A-133 applies. This audit must be performed on a program-wide basis to ascertain the effectiveness of financial management systems and internal procedures that have been established to meet the terms and conditions of the award. The management letter must be submitted with the audit report. Recipient audit reports must be submitted no later than nine (9) months after the close of each fiscal year during the term of the award. The distribution of audit reports shall be based on requirements in the current edition of 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110). Note: If your audit disclosed findings or recommendations, you must include with your audit report a corrective action plan containing the following: (1) The name and number of the contact person responsible for the corrective action plan; (2) specific steps taken to comply with the recommendations; (3) a timetable for performance or implementation dates for each recommendation; and (4) descriptions of monitoring to be conducted to ensure implementation.

## ***Helpful Hints for Applicants***

Are the following components included in the application package?

- SF424, SF424A, SF424B, SF424C (if applicable), SF424D (if applicable), SFLLL
- Investment Justifications for projects (excluding Group I and Group II Fiduciary Agents)
- Detailed Budgets containing only allowable costs (excluding Group I and Group II Fiduciary Agents)
- Memorandum of Understanding/Memorandum of Agreement (if applicable)

Are the following items addressed within the Investment Justification (IJ) narratives and detailed budgets?

- Do the IJ and the detailed budget include only allowable costs?
- Are all of the expenses in the detailed budget addressed in the IJ narrative? (for example, a camera equipment budget line item should be addressed in narrative form in the investment justification as it pertains to the overall security program)
- Does the information in the detailed budget align with the budget summary in the IJ narrative?
- Do the IJs clearly explain how the projects address one or more of the funding priorities?
- Do the IJs describe current capabilities similar to the proposed investments?
- Do the IJs detail the value that each investment has in reducing the risk?
- Is the cost effectiveness of each project clearly explained in the IJs? How do the projects provide a high security return on investment?
- Are timelines realistic and detailed?
- Does the M&A total no more than three percent (3%) of the total project cost?