



SOUTH DAKOTA
HOMELAND SECURITY

State Homeland Security Program Grant Administrative Manual

Terms and Conditions



Revised March 2016

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Introduction

This manual provides information about the State Homeland Security Program grant administered by the South Dakota Office of Homeland Security. Recommendations for the administration of the grant program are provided by the Homeland Security Senior Advisory Committee.

The Homeland Security Senior Advisory Committee includes representatives in South Dakota from the Animal Industry Board, Attorney General's Office, Chiefs of Police Association, Department of Environment and Natural Resources, Department of Game, Fish, and Parks, Governor's Office of Tribal Relations, Bureau of Information Technology, Homeland Security Regional Coordinators, SD Taskforce 1, Department of Agriculture, Department of Health, Department of the Military, Department of Public Safety (Secretariat, Fire Marshall's Office, Emergency Management, Driver Licensing, Highway Patrol, Homeland Security), SD Fusion Center, Sheriffs Association, State Radio Communications, and the US Department of Homeland Security.

The staff of the Office of Homeland Security would be happy to discuss any questions regarding the State Homeland Security Program. Please contact this office for more information.

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Updates to this manual will be posted on
http://dps.sd.gov/homeland_security/homeland_security_grants.aspx

Grant Process

The Office of Homeland Security receives an annual State Homeland Security Program Grant, CFDA #97.067, from the US Department of Homeland Security for projects that prevent or protect against acts of terrorism.

The grant requires that 80% of the grant be “passed-through” to local subrecipients and 20% be used for state projects. Up to 5% of the state portion of the grant can be used for administration costs.

Local subrecipients include public and private non-profit agencies such as county emergency management, sheriff’s offices, police departments, public schools, fire departments, and ambulance services. A portion of the local pass-through is used for statewide special programs including the SD Taskforce 1, Special Weapons and Tactics (SWAT) Training, the SD Fusion Center, and a biannual statewide training conference.

School projects are limited to public or private, non-profit schools; projects may be equipment to restrict access to the school or to expedite the notification of first responders.

State projects include public education such as the “If You See Something, Say Something” campaign and school safety; statewide fire and law enforcement training; and requests for equipment, training, or exercises initiated by state agencies.

All recipients of the State Homeland Security Program grant must abide by the policies in this manual including the federal Standard Terms and Conditions (below).

Electronic Database for Grant Application and Reporting (EDGAR)

Applications, grants awards, and reimbursements are administered through an electronic grants management system, Electronic Database for Grant Application and Reporting (EDGAR). The EDGAR system is used for Homeland Security and Highway Safety grants through the SD Department of Public Safety.

The system can be accessed at <https://sddps.intelligrants.com> . You must be pre-approved by the SD Office of Homeland Security to access the EDGAR system. Instructions are available on the website.

National Preparedness Goal

Funding from state Homeland Security grants must be used for projects that follow the National Preparedness Goal, written by the U.S. Department of Homeland Security, as described below.

The National Preparedness Goal is to develop: *“A secure and resilient nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.”*

The National Preparedness Goal describes five mission areas:

Prevention. Prevent, avoid or stop an imminent, threatened or actual act of terrorism.

Protection. Protect our citizens, residents, visitors, and assets against the greatest threats and hazards in a manner that allows our interests, aspirations, and way of life to thrive.

Mitigation. Reduce the loss of life and property by lessening the impact of future disasters.

Response. Respond quickly to save lives, protect property and the environment, and meet basic human needs in the aftermath of a catastrophic incident.

Recovery. Recover through a focus on the timely restoration, strengthening and revitalization of infrastructure, housing and a sustainable economy, as well as the health, social, cultural, historic and environmental fabric of communities affected by a catastrophic incident.

There are thirty-two activities, called core capabilities or investments. Each state can adopt up to ten core capabilities in its federal grant application. The Office of Homeland Security and the regional review committees use the statewide Threat and Hazard Identification and Risk Assessment (THIRA) and the State Preparedness Report (SPR) to prioritize funding for projects. In South Dakota, grant applications will be accepted under the following core capabilities:

1. **Cybersecurity**

This capability ensures the security of critical information by providing protection against damage, unauthorized use, or the exploitation of electronic communication systems and services.

Examples: equipment, software, training, or exercises that strive to protect public critical infrastructure such as Supervisory Control and Data Acquisition (SCADA) systems, governments, and schools.

2. **Fire Management and Suppression**

This capability provides support for projects including structural, wildland, and specialized firefighting capabilities to manage and suppress fires of all types, kinds, and complexities while protecting the lives, property, and the environment in the affected area. This capability includes hazmat detection and protection for fire departments.

Examples: fire department equipment, training, and exercises.

3. **Interdiction and Disruption**

This capability enables law enforcement to protect the community by intercepting, delaying, or halting terrorism threats.

Examples: law enforcement equipment such as ruggedized computers and in-car video cameras; surveillance and security equipment to protect critical infrastructure; and law enforcement training and exercises with a Homeland Security nexus.

4. **Operational Communications**

This capability supports the SD Public Safety Communication Council statewide plan. Interoperable communication equipment, training, and exercises assure that public safety agencies can exchange critical information when needed.

Examples: communication equipment such as radios; programming; radio signal, amplifiers; repeaters; interoperable communication training and exercises.

5. **Operational Coordination**

This capability includes establishing National Incident Management System (NIMS) compliant command, control, and coordination structures to meet basic human needs, stabilize incidents, and transition to recovery.

Examples: Incident Command System (ICS) Training and exercises; emergency operations center or mobile command equipment.

6. **Planning**

This capability includes strategic planning, preparedness meetings and training, as well as resource management including credentialing individuals and team typing.

Examples: Homeland Security meeting and conference expenses; equipment and software for typing, credentialing, and managing resources; counterterrorism records management systems.

7. **Public Information and Warning**

This investment includes delivering timely and accurate information about potential hazards to the whole community.

Examples: warning sirens; telephonic warning systems; and training and exercises to test public information and warning systems.

8. **Risk Management**

This capability protects critical infrastructure by assessing threats and capabilities, providing security measures including equipment, training, and exercises, and preparedness activities for the whole community.

Examples: critical infrastructure assessments; generators for public shelters; surveillance and access control systems; and Citizen Corps Program expenses.

9. **Screening, Search, and Detection**

This capability supports emergency responders including veterinarians, laboratories, and medical providers who detect and respond to hazardous materials and diseases.

Examples: disease threat detection and protection equipment and training; agriculture and livestock detection and protection equipment, training, and exercises.

10. **Intelligence and Information Sharing / Law Enforcement Projects**

This investment supports the state Fusion Center which is responsible for the exchange of intelligence information between federal, state, local, tribal, and private sectors.

The national network of fusion centers (National Network) provides a mechanism for the Federal government to receive information from state, local, territory and Tribal partners, which helps create a more complete threat picture at the National level. Participating in the Nationwide Suspicious Activity Reporting (SAR) Initiative enables fusion centers to receive and analyze suspicious activity reporting from frontline public safety personnel, the private sector, and the public, and ensure the sharing of SAR with the Federal Bureau of Investigation's Joint Terrorism Task Forces for further investigation.

Law Enforcement Projects

The State Homeland Security Program grant requires that 25% of the grant be used for law enforcement activities. Law enforcement agencies that receive grant funding are expected to:

- Have a designated liaison with the Fusion Center
- Contribute intelligence information to the Fusion Center
- Be trained in Suspicious Activity Reporting

The Office of Homeland Security requires membership of the regional review committees (discussed under Local Projects) to include one county emergency manager and one law enforcement official from each county. While the county emergency manager has knowledge of overall disaster and emergency response needs for the county, specific needs of law enforcement agencies are better known to law enforcement agencies. Therefore, requiring a law enforcement official to be present to decide on projects that will receive funding ensures that the overall law enforcement requirement is met and the highest priority projects for law enforcement are approved.

This does not imply that law enforcement projects should be arbitrarily approved as the process is competitive. Each region is provided with a law enforcement minimum dollar amount which may not be 25% of the region's total allocation. Part of the law enforcement requirement for the state is made up of the Fusion Center and SWAT Training allocations which are local funding and encompass all law enforcement.

Law enforcement will continue to be required to attend the regional review committee meetings so they can advocate for their projects. The 25% requirement is a minimum for the entire state, not just a region; most regional review committees award more than the minimum to law enforcement.

Grant Requirements

A. ACCEPTANCE OF GRANT SUBAWARD AND TERMS & CONDITIONS

Before you incur costs or receive any federal grant funds awarded to you, the Grant Subaward Agreement must be signed by an authorized signer from your agency and the Director of the South Dakota Office of Homeland Security.

B. DEFINITIONS

1. State. *State* refers to the State of South Dakota.
2. SDHLS. *SDHLS* refers to the South Dakota Office of Homeland Security.
3. SHSP. *SHSP* refers to State Homeland Security Program.
4. Subaward. *Subaward* refers to an award provided by a pass-through entity (SDHLS) to a subrecipient.
5. Subrecipient. *Subrecipient* refers to a non-Federal entity that receives a subaward from a pass-through agency (SDHLS), aka grantee, subgrantee
6. Grant Subaward Agreement. The *Grant Subaward Agreement* is the signatory document that commits grant funds to the subrecipient and acknowledges subaward terms and conditions.
7. EDGAR. *EDGAR* (Electronic Database for Grant Application & Reporting) is the South Dakota Department of Public Safety's on-line grant management system.

C. GRANT PROVISIONS

1. Subaward Beginning and End Dates. The subaward beginning and ending dates are on the Subaward Agreement.
2. Match Provision. There is no match requirement under this agreement.
3. Amendment Provision. Any amendments to Subaward Agreements must be in writing and approved by SDHLS.
4. Termination Provision. SDHLS retains the right to terminate subawards through the State Homeland Security Program at any time.

D. LEGAL PROVISIONS

1. Funding Out Clause. Subaward Agreements depend upon the continued availability of appropriated funds and expenditure authority from the Legislature for this purpose. If for any reason the State Legislature fails to appropriate funds or grant expenditure authority, or funds become unavailable by operation of law or federal funds reductions, the Agreement will be terminated by the State. Termination for any of these reasons is not a default by the State nor does it give rise to a claim against the State.
2. Insurance Provision. Subrecipients agree, at their sole cost and expense, to maintain general liability, worker's compensation, professional liability, and automobile liability insurance during the subaward period as specified in the award.
3. Indemnification. The Grantee agrees to indemnify and hold the State of South Dakota, its officers, agents and employees, harmless from and against any and all actions, suits, damages, liability or other proceedings that may arise as the result of performing services hereunder. This section does not require the subrecipients to be responsible for or defend against claims or damages arising solely from errors or omissions of the State, its officers, agents or employees.
4. Governing Law & Venue. The Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota. Any lawsuit pertaining to

or affecting this Agreement shall be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

5. Severability & Non-Waiver. In the event that any court of competent jurisdiction shall hold any provision of the Agreement unenforceable or invalid, such holding shall not invalidate or render unenforceable any other provision hereof. Failure by the State to strictly enforce any provision of the Agreement shall not operate as a waiver of any provision, right or responsibility contained herein.
6. No Sub-Granting or Assigning. Agreements may not be assigned, nor the funds given to a new or additional sub-grantee, without the express prior written consent of the SDHLS. Agreements may not be amended except in writing, which writing shall be expressly identified as a part hereof, and be signed by an authorized representative of each of the parties hereto. Any assignees, sub-grantees, or successors in interest must agree to be bound by all the terms contained within the Agreement and shall be bound hereby to all these terms.
7. No Third Parties. Agreements are intended only to govern the rights and interests of the parties named herein. It is not intended to, does not and may not be relied upon to create any rights, substantial or procedural, enforceable at law by any third party in any matters, civil or criminal.

E. Federal and State Requirements

Subrecipients must comply with applicable requirements of all state and federal laws, executive orders, regulations, and policies governing this program including the applicable years' DHS Standard Terms and Conditions.

1. Federal Administrative Requirements, Cost Principles, and Audit Requirements (also see federal Standard Terms and Conditions below)

Subrecipients are required to follow all CFR requirements found in 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

The below sections have been included to draw special attention to some of the requirements. Additional SDHLS requirements have been included where applicable. Please refer to the full text of the CFR for complete information: www.ecfr.gov

- CFR Administrative Requirements:
2 CFR Part 200 Subpart D (2 CFR 200.300 through 2 CFR 200.345)
- CFR Cost Principles:
2 CFR Part 200 Subpart E (2 CFR 200.400 through 2 CFR 200.475)
- CFR Audit Requirements:
2 CFR Part 200 Subpart F (2 CFR 200.500 through 2 CFR 200.521)

A. Suspension and Debarment (2 CFR 200.212)

Subrecipients may not form a new contract, make a new purchase from, or enter into any new business relationship with parties listed on the government wide exclusions database in the System for Award Management (SAM).

- a. Prior to entering into any contract or purchase funded by federal grants expected to exceed or equal \$25,000, a search must be performed using the SAM website: www.sam.gov .

- i. The search must be documented with a printscreen of the search results.
 - ii. A copy of the printscreen must be maintained in the grant file and attached to the reimbursement request.
- b. It is recommended that the subrecipient adopt a Suspension and Debarment policy for procurements made with federal funds.
 - i. A sample Suspension and Debarment policy and further instructions on performing a debarment search may be found at: http://dps.sd.gov/homeland_security/documents/DebarmentSearchProcedures2015.pdf.

B. Equipment (2 CFR 200.313)

- a. Title. 2 CFR 200.313(a). Equipment purchased by the subrecipient with federal award funds is the property of the subrecipient.
- b. Use. 2 CFR 200.313(c)(1). Equipment must be used by the subrecipient in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the Federal award, and the non-Federal entity must not encumber the property without prior approval of the Federal awarding agency.
- c. Property Records. 2 CFR 200.313(d)(1). Property records must be maintained for all items with a per-unit acquisition cost of \$5,000 or more. Property records must include:
 - i. description of the property
 - ii. serial number or other identification number
 - iii. source of funding for the property (including the federal award number found on the Grant Subaward Agreement)
 - iv. who holds title
 - v. acquisition date
 - vi. cost of the property
 - vii. percentage of Federal participation in the project costs for the Federal subaward under which the property was acquired
 - viii. the location
 - ix. use
 - x. condition

Note: Many property record systems will not allow for the inclusion of all of the required information. In that case, it may be necessary to maintain additional records for property acquired under the federal grant.

A sample Equipment Tracking Form can be selected at: [South Dakota Department of Public Safety: Homeland Security: Homeland Security](#).
- d. Physical Inventory. 2 CFR 200.313(d)(2). A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
- e. Control System. 2 CFR 200.313(d)(3). A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.
- f. Maintenance Procedures. 2 CFR 200.313(d)(4). Adequate maintenance procedures must be developed to keep the property in good condition.

- g. Disposition or Transfer. 2 CFR 200.313(e). When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, disposition of the equipment will be made as follows:
 - i. Disposition.
 - a. Items of equipment with a current per-unit fair market value of \$5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency.
 - i. An Equipment Disposition Request Form must be submitted to SDHLS within 30 days of final disposition.
 - b. Items of equipment with a current per-unit fair market value in excess of \$5,000 may be retained by the subrecipient or sold. If sold, the subrecipient must return a proportionate share of the federal funds from the sale of the equipment.
 - i. SDHLS approval is required prior to disposition.
 - ii. An Equipment Disposition Request Form must be submitted to SDHLS for approval at least 120 days prior to the proposed disposition date.
 - c. The Equipment Disposition Request Form can be selected at:
 - http://dps.sd.gov/homeland_security/documents/EquipmentDisposalRequestForm.pdf
 - ii. Transfer.
 - a. Items of equipment with an original cost of \$5,000 or more may be transferred to an eligible third party. An Equipment Transfer Form must be submitted to SDHLS within 30 days of the transfer.
 - b. The Equipment Transfer Form can be selected at:
 - http://dps.sd.gov/homeland_security/documents/EquipmentTransferForm.pdf

C. Procurement (2 CFR 200.317 through 2 CFR 200.326)

- a. General Requirement. Subrecipients will follow all federal provisions under 2 CFR 200.318 through 2 CFR 200.326.
- b. Procurement Procedures. 2 CFR 200.318(a). The subrecipient must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards found in 2 CFR 300.318. **It is not sufficient to follow the subrecipient's own policies and procedures if they do not meet the federal requirements referenced in section 3.a above.**
- c. Conflict of Interest. 2 CFR 200.318(c)(1). The subrecipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. Anyone who develops or drafts specifications, requirements, statements of work and/or Requests for Proposal (RFP) for a proposed purchase or contract must be excluded

from bidding or submitting a proposal to compete for the award because such involvement provides an advantage over other bidders.

See 2 CFR 200.319(a). All procurement transactions must be conducted in a manner providing full and open competition.

- d. Methods of Procurement to be Followed. 2 CFR 200.320.
 - i. Micro-purchases, which are aggregate purchase amounts not exceeding \$3,000, may be awarded without soliciting competitive quotations if the subrecipient considers the price to be reasonable.
 - ii. Price or rate quotations **must be** obtained from an adequate number of qualified sources for all purchases with aggregate purchase amounts exceeding \$3,000. A minimum of two quotes or bids are to be obtained. The subrecipient must maintain documentation of quotes in their grant files and be able to justify that an adequate number of quotations were received.
 - a. No further bid solicitation is necessary for purchases made under State of South Dakota contracts or GSA contracts.
 - iii. In addition to the above federal requirements, subrecipients must adhere to all provisions of their own procurement procedures when they are more restrictive than federal requirements.
- e. Procurement by Non-Competitive Sources (Sole Source). 2 CFR.320(f). **Sole source purchases are not allowed without prior approval from SDHLS.**
 - i. Complete a Request for Sole Source Purchase Form and submit it to SDHLS prior to entering into a purchase commitment.
 - a. The Request for Sole Source Purchase Form can be found at http://dps.sd.gov/homeland_security/documents/RequestforSoleSourcePurchase.pdf
 - ii. The approved form must be attached to the subrecipient's reimbursement request.

D. Record Retention (2 CFR 200.333)

- a. Projects will be closed when the award has been expended or at the subaward end date, whichever comes first. Grant records must be retained for three years after the grant is closed.
- b. Equipment records must be retained for the life of the equipment and for three years after final disposition of the equipment.
- c. Subrecipients must maintain organized grant files containing the following information:
 - i. Copy of the project application and signed subaward agreement.
 - ii. Copy of revisions to the original agreement, if any.
 - iii. Copies of all reimbursement requests.
 - iv. For aggregate purchases of \$25,000 or more, copy of verifications that the vendor was not on the debarred or excluded list at the time the order was placed.
 - v. Copies of the capital asset inventory records for grant-funded equipment.

- vi. Copies of Equipment Disposal/Transfer Forms for grant-funded equipment.
- vii. Copies of monitoring reports completed by the South Dakota Department of Public Safety.
- viii. Copies of Environmental and Historic Preservation approvals from FEMA, if applicable.
- ix. Copies of completed audits which are relative to the grant project.

E. Federal Funding Accountability and Transparency Act (FFATA) (2 CFR 200.331(b))

To provide the public access to information on Federal spending through USASpending.gov, the State, as a prime awardee of Federal grant funds, is required to report on all subawards issued for \$25,000 or more.

This reporting is not a subrecipient requirement. It is a requirement of the State. Be aware that if a subrecipient receives a subaward of \$25,000 or more, the following information will be reported on USASpending.gov:

- Entity Information
- DUNS Number
- Date of Subaward
- Amount of Subaward

F. Access to Records (2 CFR 200.336)

- a. FEMA, the Inspectors General, the Comptroller General of the United States, and the State, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the subrecipient which are pertinent to the Federal subaward.

2. State Administrative Requirements

A. Concurrence with Statewide Projects

Supporting the recommendation of the South Dakota Homeland Security Senior Advisory Committee, the subrecipient agrees to use local pass-through funding for four statewide projects: Fusion Center, SWAT training, SD Taskforce 1, and the biannual Homeland Security Conference. The current allocation for statewide projects is \$600,000.

B. Grant Management System

Subrecipient agrees to use SDHLS's on-line grant management system (EDGAR) for the application and grant management of subawards including but not limited to the following:

- a. Maintain current subrecipient contact information in the system
- b. View funding opportunities
- c. Submit applications
- d. Sign and view award agreements
- e. Review grant Terms & Conditions
- f. Submit reimbursement requests

C. Subrecipient Monitoring

- a. SDHLS shall monitor the programmatic and financial progress of subrecipients to assure compliance with local, state and federal requirements and that performance goals are being achieved.
- b. The subrecipient understands that SDHLS may enforce any of the remedies for noncompliance allowed by state and federal regulations.
- c. The closeout of a grant does not affect the SDHLS's responsibility to monitor beyond the performance period end date.

D. Environmental

Projects involving ground disturbance, communication towers, physical security enhancements, and installation of equipment to buildings and structures will be required to meet the requirements of FEMA's Environmental Planning and Historic Preservation (EHP) Program.

Projects that require EHP approval will receive conditional approval until EHP requirements are fulfilled. Work on a project cannot begin until written EHP approval has been received from FEMA.

Subrecipients are required to complete and submit the EHP Screening Form to the Office of Homeland Security with the required photos and other documentation **before** starting projects that require EHP approval. When approval is received from FEMA, SDHLS will notify the subrecipient and the project can begin.

The Environmental and Historic Preservation Screening Form is available at: http://dps.sd.gov/homeland_security/homeland_security_grants.aspx You will need to save the form as a Word document to your computer.

E. Contract Approval

Subrecipients must obtain written approval from SDHLS prior to execution of contracts funded under this grant.

F. Reimbursement

Homeland Security grants are paid on a reimbursement basis; if you are awarded a grant, you must pay for the equipment or services and you will be reimbursed up to the amount of your subaward. You are responsible for any difference in cost.

All expenses must have prior approval through the Grant Subaward Agreement or they will not be reimbursed. Reimbursement requests must be submitted through EDGAR. Projects must be completed by the subaward end date noted on the Grant Subaward Agreement.

- a. Reimbursement requests must be submitted through the EDGAR system 45 days after project completion and no later than 45 days after the subaward end date.
- b. Equipment and/or services must be received and the vendor paid prior to requesting reimbursement.

- c. Travel. Reimbursement for meals, lodging, mileage, and other expenses will follow State policy, except where non-state employees are unable to obtain state lodging rates.
 - i. In-state per diem rates can be found at:
<http://legis.sd.gov/Rules/DisplayRule.aspx?Rule=05:01:02:14>
 - ii. Out-of-state per diem rates can be found at:
<http://legis.sd.gov/Rules/DisplayRule.aspx?Rule=05:01:02:11>
 - iii. Mileage rates can be found at:
<http://legis.sd.gov/rules/DisplayRule.aspx?Rule=05:01:02:01>
 - 1. For state or local government-owned vehicles, reimbursement will be made for actual fuel usage supported by receipts.
 - iv. When non-state employees are unable to obtain state rates, they are expected to obtain reasonable lodging rates.
 - v. Unallowable travel costs include entertainment charges, tobacco, alcohol or bar charges, laundry charges, visa or passport charges, tips, phone calls, personal hygiene items, in-room movies, magazines, personal transportation (other than to program activities), travel insurance, and credit card fees.

- d. Documentation. Reimbursement requests must include the following documentation:
 - i. **Itemized invoices.** If the invoice is not itemized, then submit the related proposal or quote.
 - ii. **Proof of payment.** Proof of payment should be in the form of a front-and-back copy of the canceled check or a copy of electronic transfer documentation showing payment has been made to the vendor.
 - iii. **Travel, training, and exercises.**
 - 1. Costs must be itemized separately for each traveler (departure and return times, destinations, airfare, lodging; meals, ground transportation to program activities, and other allowable expenses).
 - 2. Purpose of travel as it relates to program activities.
 - 3. Copy of the agenda or registration form.
 - 4. Meals will be reimbursed based on departure and return times; receipts for meals are not required.
 - 5. If the subrecipient does not have an agency required form to summarize travel costs for grant activity participants, the subrecipient may use the Travel Detail Worksheet form available on the SDHLS website at http://dps.sd.gov/homeland_security/homeland_security_grants.aspx.
 - 6. Rosters for all *hosted* trainings and exercises.
 - 7. Exercises that are reimbursed by the Office of Homeland Security must be compliant with the Homeland Security Exercise and Evaluation Program (HSEEP). HSEEP is a national standard for all exercises.
 - iv. **Suspension & Debarment Search Documentation.** A copy of the print screen from Sam.gov must be included for aggregate

purchases of \$25,000 or more. Instructions on performing a debarment search may be found at:

http://dps.sd.gov/homeland_security/documents/DebarmentSearchProcedures2015.pdf .

- v. **Equipment Transfer Form.** An Equipment Transfer Form must be attached whenever equipment is transferred to another entity. The form is available at:
http://dps.sd.gov/homeland_security/documents/EquipmentTransferForm.pdf
- vi. **Request for Sole Source Procurement Form.** An approved Request for Sole Source Procurement Form must be included for any items for which competitive quotes were not received. The form is available at:
http://dps.sd.gov/homeland_security/documents/RequestforSoleSourcePurchase.pdf

G. National Incident Management System (NIMS)

Subrecipients are strongly encouraged to follow the National Incident Management System (NIMS) standards.

H. Security Needs Assessment

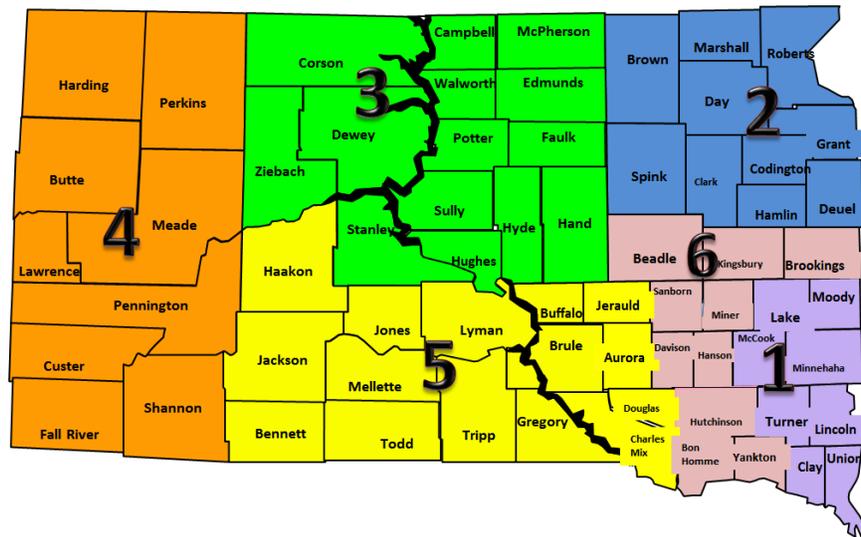
Applications for hardening/securing a critical infrastructure may require a security needs assessment conducted by an objective party.

SPECIAL CONDITIONS

Special conditions (if any) relating to a grant subaward will be stipulated on the Grant Subaward Agreement.

Local Projects

The Office of Homeland Security will provide each of the six regions (as shown below) with an award amount based on a minimum base amount for each county and the population of the county. The Regional Coordinator in each region will sign an award agreement within 45 days of the federal notice of grant award. The agreement will specify the funding available for the region and the project period. The agreement will be co-signed by the Director of Homeland Security and kept in the state grant file; a copy will be provided to the Regional Coordinator.



Applications must be submitted to the Office of Homeland Security using the EDGAR (web based electronic grants management system) application form. A deadline for receipt of applications for local projects will be posted on the grants management website.

When applications have received preliminary programmatic approval, the applications will be available to regional coordinators and county emergency managers for review.

Each of the six regions will hold a meeting to review and vote on applications with the funding available. Federal Homeland Security grants have a number of requirements; one is that at least 25 percent (25%) of grant funding appropriated to the State must be used for law enforcement terrorism prevention activities.

The Office of Homeland Security requires membership of the regional review committees to include one county emergency manager and one law enforcement official from each county. While the county emergency manager has knowledge of overall disaster and emergency response needs for the county, specific needs of law enforcement agencies are better known to law enforcement agencies. Therefore, requiring a law enforcement official to be present to decide on projects that will receive funding ensures that the overall law enforcement requirement is met and the highest priority projects for law enforcement are approved.

This does not imply that law enforcement projects should be arbitrarily approved as the process is competitive. Each region is provided with a law enforcement minimum dollar amount.

Law enforcement will continue to be required to attend the regional review committee meetings so they can advocate for their projects.

After the committee has voted on the projects to fund, the regional coordinator will provide the Office of Homeland Security with a list of projects to be awarded.

An award agreement for approved projects will be sent to each subrecipient for signature through the EDGAR system. Applicants for projects that were not funded will be notified.

Once the agreement is signed and returned to the Office of Homeland Security, the Director of Homeland Security will sign the agreement.

Subrecipients will receive a copy of the final completed agreement indicating that projects can go forward, any special conditions, and the award expiration date. If a subrecipient does not complete the project by the end of the project period specified on the award agreement, the Director of Homeland Security will either extend the project period or reallocate the funding award to another local project. Extensions or reallocations must be in writing, provided to the subrecipient and maintained in the grant file.

State Projects

State funding (20% of the grant) is available for statewide projects. State agencies and other public non-profit agencies may apply through the EDGAR system.

Applications must be submitted to the Office of Homeland Security in the EDGAR system.

When approved by the Office of Homeland Security, an award agreement will be sent to the applicant for signature electronically through the EDGAR system.

Once the agreement is electronically signed and returned to the Office of Homeland Security, the Director of Homeland Security will sign the agreement.

Awardees will receive a copy of the final completed agreement indicating that projects can go forward, special conditions, and the award expiration date. If a subrecipient does not complete the project by the end of the project period specified on the award agreement, the Director of Homeland Security will either extend the project period or reallocate the funding award to another state project. Written documentation of extensions or reallocations will be provided to the subrecipient and maintained in the grant file.

Revisions to local or state project awards will be determined by the Office of Homeland Security.

Progress Reports

Subrecipients will be required to submit progress reports on projects that are in process (not closed out) through the EDGAR system semiannually.

Allowable and Unallowable Costs

1. Allowable Costs

Costs that are allowable include, but are not limited to, the following expenses if specific to Homeland Security activities:

- Equipment listed as allowable on FEMA's Authorized Equipment List (AEL), see <https://www.fema.gov/authorized-equipment-list>
- Fire service equipment for hazmat or technical rescue should meet applicable NFPA standards whenever possible.
- Travel expenses incurred while traveling away from your duty station for planning meetings, training, or exercises (full-scale, functional, or table-top)
- Cost of hosting planning meetings, trainings, and exercises. The primary purpose must be the dissemination of technical information relevant to Homeland Security
- Overtime and backfill salaries for the individuals providing shift coverage for those participating in Homeland Security approved planning meetings, training, and exercises
- Maintenance agreements for equipment purchased with federal Homeland Security funds.
- School access control systems. Project plans for access control (door locks, electronic locks) in school buildings must be reviewed by the State Fire Marshal to ensure they are in compliance with state law on school fire safety. Homeland Security may require access control specs from applicant.

2. Unallowable Costs

The following list describes items that Homeland Security will not fund. This list is not comprehensive but includes commonly requested items that will not be funded.

- Normal duty or response duty personnel time
- Firearms, ammunition, explosive devices, munitions (distraction devices, grenades)
- Body cameras
- Recurring costs such as licenses, wireless fees, internet fees, wireless cards
- General use software, computers, and related equipment
- Non-ruggedized laptops or tablets for in-vehicle use
- Radios not compatible with State Radio System with the exception of pagers
- Basic firefighting bunker gear or other general use uniforms
- Basic duty gear (belts, holsters, pouches)
- Construction or remodeling
- Door installation/replacement not directly related to Homeland Security mission
- Critical infrastructure improvements that have not had a security assessment
- Security cameras and access control for new construction
- Security camera replacements or additions to existing systems
- Surveillance camera systems not remotely accessible by law enforcement
- Automated external defibrillators (AED) for non-EMS entities
- Maintenance or repair on vehicles, boats, trailers, or other equipment
- Replacement of items previously funded through Homeland Security (exceptions on case by case basis)
- Research and development projects
- Indirect Costs

The FY 2016 DHS Standard Terms and Conditions apply to all new Federal financial assistance awards funded in FY 2016. The terms and conditions of DHS financial assistance awards flow down to subrecipients, unless a particular award term or condition specifically indicates otherwise.

Assurances, Administrative Requirements, Cost Principles, and Audit Requirements

DHS financial assistance recipients must complete either the OMB Standard Form [424B Assurances – Non-Construction Programs](#), or OMB Standard Form [424D Assurances – Construction Programs as applicable](#). Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the financial assistance office if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at [2 C.F.R. Part 200](#), and adopted by DHS at [2 C.F.R. Part 3002](#).

DHS Specific Acknowledgements and Assurances

All recipients, sub-recipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations *and* other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS financial assistance office and the DHS Office of [Civil Rights and Civil Liberties](#) (CRCL) by e-mail at crcl@hq.dhs.gov or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS financial assistance office and the CRCL office by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

Acknowledgment of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Age Discrimination Act of 1975

All recipients must comply with the requirements of the *Age Discrimination Act of 1975* ([Title 42 U.S. Code, § 6101 et seq.](#)), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Americans with Disabilities Act of 1990

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. ([42 U.S.C. §§ 12101–12213](#)).

Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy template](#) respectively.

Civil Rights Act of 1964 – Title VI

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* ([42 U.S.C. § 2000d et seq.](#)), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. DHS implementing regulations for the Act are found at [6 C.F.R., Part 21](#) and [44 C.F.R. Part 7](#).

Civil Rights Act of 1968

All recipients must comply with [Title VIII of the Civil Rights Act of 1968](#), which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex ([42 U.S.C. § 3601 et seq.](#)), as implemented by the Department of Housing and Urban Development at [24 C.F.R. Part 100](#). The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (See [24 C.F.R. § 100.201](#)).

Copyright

All recipients must affix the applicable copyright notices of [17 U.S.C. §§ 401 or 402](#) and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards.

Debarment and Suspension

All recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders [12549](#) and [12689](#), and [2 C.F.R. Part 180](#). These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Drug-Free Workplace Regulations

All recipients must comply with the *Drug-Free Workplace Act of 1988* ([41 U.S.C. § 701 et seq.](#)), which requires all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at [2 C.F.R. Part 3001](#).

Duplication of Benefits

Any cost allocable to a particular Federal award provided for in [2 C.F.R. Part 200, Subpart E](#) may not be charged to other Federal awards to overcome fund

deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude a recipient from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal award.

Education Amendments of 1972 (*Equal Opportunity in Education Act*) – Title IX

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 ([20 U.S.C. § 1681 et seq.](#)), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. DHS implementing regulations are codified at [6 C.F.R. Part 17](#) and [44 C.F.R. Part 19](#)

Energy Policy and Conservation Act

All recipients must comply with the requirements of [42 U.S.C. § 6201](#) which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of [31 U.S.C. § 3729](#)- 3733 which prohibits the submission of false or fraudulent claims for payment to the Federal Government. See [31 U.S.C. § 3801-3812](#) which details the administrative remedies for false claims and statements made.

Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See [OMB Circular A-129](#).

Federal Leadership on Reducing Text Messaging while Driving

All recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in [E.O. 13513](#), including conducting initiatives described in Section 3(a) of the Order when on official Government business or when performing any work for or on behalf of the federal government.

Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under [49 U.S.C. § 41102](#)) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* ([49 U.S.C. § 40118](#)) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, [amendment](#) to Comptroller General Decision B-138942.

Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, [15 U.S.C. § 2225a](#), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, [15 U.S.C. § 2225](#).

Limited English Proficiency (*Civil Rights Act of 1964, Title VI*)

All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Lobbying Prohibitions

All recipients must comply with [31 U.S.C. § 1352](#), which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

Non-supplanting Requirement

All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources.

Notice of Funding Opportunity Requirements

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the terms and conditions of your award. All recipients must comply with any such requirements set forth in the program NOFO.

Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the [Bayh-Dole Act, Pub. L. No. 96-517](#), as amended, and codified in [35 U.S.C. § 200](#) et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at [37 C.F.R. Part 401](#) and the standard patent rights clause located at 37 C.F.R. § 401.14.

Procurement of Recovered Materials

All recipients must comply with Section 6002 of the [Solid Waste Disposal Act](#), as amended by the [Resource Conservation and Recovery Act](#). The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 C.F.R. Part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Reporting Subawards and Executive Compensation

All recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at [2 C.F.R. Part 170, Appendix A](#), the full text of which is incorporated here by reference in the terms and conditions of your award.

SAFECOM

All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the [SAFECOM](#) Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Terrorist Financing

All recipients must comply with [E.O. 13224](#) and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the Order and laws.

Trafficking Victims Protection Act of 2000

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000*, (TVPA) as amended ([22 U.S.C. § 7104](#)). The award term is located at [2 CFR § 175.15](#), the full text of which is incorporated here by reference in the terms and conditions of your award.

Rehabilitation Act of 1973

All recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, [29 U.S.C. § 794](#), as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Reporting of Matters Related to Recipient Integrity and Performance

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal assistance office exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at [2 C.F.R. Part 200, Appendix XII](#), the full text of which is incorporated here by reference in the terms and conditions of your award.

Universal Identifier and System of Award Management (SAM)

All recipients are required to comply with the requirements set forth in the government-wide Award Term regarding the System for Award Management and Universal Identifier Requirements located at [2 C.F.R. Part 25, Appendix A](#), the full text of which is incorporated here by reference in the terms and conditions of your award.

USA Patriot Act of 2001

All recipients must comply with requirements of the [Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act \(USA PATRIOT Act\)](#), which amends [18 U.S.C. §§ 175–175c](#).

Use of DHS Seal, Logo and Flags

All recipients must obtain permission from their financial assistance office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Whistleblower Protection Act

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at [10 U.S.C § 2409](#), [41 U.S.C. 4712](#), and [10 U.S.C. § 2324](#), [41 U.S.C. §§ 4304](#) and [4310](#).