



# **FY 2023 State Homeland Security Program (SHSP)**

## **Enhancing Election Security (EES)**

### **Notice of Funding Opportunity (NOFO)**



#### **Grant Issued By:**

U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA)/Grant Programs Directorate (GPD)

#### **Grant Issued Through:**

Missouri Department of Public Safety (DPS)/Office of Homeland Security (OHS)

#### **Assistance Listing:**

97.067

#### **Funding Opportunity Title**

State Homeland Security Program (SHSP) Enhancing Election Security (EES)

#### **Introduction**

The Missouri Office of Homeland Security is pleased to announce the funding opportunity for the FY 2023 State Homeland Security Program (SHSP) Enhancing Election Security (EES). This state administered, but federally funded program, is made available through the Grants Programs Directorate (GPD) within the Federal Emergency Management Agency (FEMA).

#### **Program Description**

SHSP EES assists state and local efforts to build, sustain, and deliver the capabilities necessary to prevent, prepare for, protect against, and respond to acts of terrorism through projects that enhance election security. This program will provide funding for physical security enhancements to election infrastructure. Election security projects should support long-term vulnerability reduction by building and sustaining resilient systems, communities, and critical infrastructure and key resources lifelines so as to reduce their vulnerability to natural, technological, and human-caused threats and hazards by lessening the likelihood, severity, and duration of the adverse consequences.

In January 2017, DHS designated the infrastructure used to administer the Nation's elections as critical infrastructure. This designation recognizes that the United States' election infrastructure is of such vital importance to the American way of life that its incapacitation or destruction would have a devastating effect on the country. Securing election infrastructure, ensuring its continued operation in the face of threats and harassment, advancing the safety of election officials, and ensuring an election free from foreign interference are national security priorities. Threats to election systems are constantly evolving, so defending these systems requires constant vigilance, innovation, and adaptation.

## Objective

The objective of the FY 2023 SHSP is to fund state and local efforts to prevent terrorism and prepare the Nation for threats and hazards that pose the greatest risk to the security of the United States.

**Period of Performance:** 24 months

**Projected Period of Performance Start Date:** September 1, 2023

**Projected Period of Performance End Date:** August 31, 2025

**Funding Instrument:** Grant

**Allowable Amount:** \$15,000 maximum award per applicant agency

## Eligible Applicants:

- Local election authorities designated by the Missouri Secretary of State
- Local polling locations designated by the respective local election authority

## Ineligible Applicants

Entities located within the geographical boundaries of the St. Louis Urban Area Security Initiative (UASI), which includes the Missouri counties of Franklin, Jefferson, St. Charles, St. Louis and St. Louis City are **NOT** eligible applicants. For information regarding the application process in these counties, please contact the East-West Gateway Council of Governments <https://www.ewgateway.org> or (314) 421-4220.

Entities located within the geographical boundaries of the Kansas City Urban Area Security Initiative (UASI), which includes the Missouri counties of Jackson, Cass, Platte, Clay, and Ray are **NOT** eligible applicants. For information regarding the application process in these counties, please contact Mid-America Regional Council (MARC) at <http://www.marc.org> or (816) 474-4240.

## Application and Submission Information

### 1. Key Dates and Times

**a. Application Start Date:** August 18, 2023

**b. Application Submission Deadline:** September 15, 2023, 5:00 p.m. CST

### 2. Agreeing to Terms and Conditions of the Award

By submitting an application, applicants agree to comply with the requirements of this NOFO and the terms and conditions of the award, should they receive an award.

Applications will only be accepted through the Missouri Department of Public Safety (DPS) online WebGrants System. <https://dpsgrants.dps.mo.gov/index.do>

An application workshop with instructions on how to apply through the WebGrants System will be available on the DPS website, at the following link under Grant Applications and Forms, FY 2023 State Homeland Security Program (SHSP): <https://dps.mo.gov/dir/programs/ohs/grantstraining/>

As part of the FY 2023 SHSP application, each eligible applicant must complete all application forms and provide all required documents:

- 1. Contact Information Form**
- 2. SHSP Project Package**
- 3. Budget**
- 4. Named Attachments**
  - a. Audit/Financial Statement (REQUIRED)**
  - b. Quote or Cost Basis**
  - c. Other Supporting Documentation (up to 5 attachments)**

Each application must only include one project, and all requested funding in the application must be directly associated to that specific project.

### **SHSP Funding Guidelines**

Subrecipients must comply with all the requirements in 2 C.F.R. Part 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*). Funding guidelines established within this section support the four mission areas—Prevention, Protection, Mitigation, and Response—and associated core capabilities within the Goal. Allowable investments made in support of national priorities, as well as other capability-enhancing projects must have a nexus to terrorism preparedness and fall into the categories of planning, organization, exercises, training, or equipment, aligned to building capability, closing capability gaps, and/or sustaining capabilities as identified in the State THIRA/SPR.

### **Multiple Purpose or Dual-Use of Funds**

For SHSP, many activities that support the achievement of core capabilities related to the national priorities and terrorism preparedness may simultaneously support enhanced preparedness for other hazards unrelated to acts of terrorism. However, all SHSP funded projects must assist subrecipients in achieving core capabilities related to preventing, preparing for, protecting against, or responding to acts of terrorism per section 2008(c) of the *Homeland Security Act of 2002* (6 U.S.C. § 609(c)).

### **Funding Restrictions and Allowable Costs:**

All costs charged to awards covered by this NOFO must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. Part 200, unless otherwise indicated in the NOFO, the terms and conditions of the award, or the [Preparedness Grants Manual](#). This includes, among other requirements that costs must be incurred, and products and services must be delivered,

within the period of performance of the award. *See* 2 C.F.R. § 200.403(h) (referring to budget periods, which for FEMA awards under this program is the same as the period of performance).

Federal funds made available through this award may be used for the purpose set forth in this NOFO, the [Preparedness Grants Manual](#), and the terms and conditions of the award and must be consistent with the statutory authority for the award. Award funds may not be used for matching funds for any other federal awards, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, federal funds may not be used to sue the Federal Government or any other government entity. See the [Preparedness Grants Manual](#) for more information on funding restrictions and allowable costs.

## **1. Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services**

Recipients and subrecipients of FEMA federal financial assistance are subject to the prohibitions described in section 889 of the [John S. McCain National Defense Authorization Act for Fiscal Year 2019 \(FY 2019 NDAA\)](#), Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to FEMA recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

Guidance is available at [Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services \(Interim\) FEMA Policy #405-143-1](#), or superseding document.

Additional guidance is available at [Contract Provisions Guide: Navigating Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards \(fema.gov\)](#).

**Effective August 13, 2020**, FEMA recipients and subrecipients **may not** use any FEMA funds under open or new awards to:

- a. Procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system;
- b. Enter into, extend, or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system; or
- c. Enter into, extend, or renew contracts with entities that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

### **I. Replacement Equipment and Services**

FEMA grant funding may be permitted to procure replacement equipment and services impacted by this prohibition, provided the costs are otherwise consistent with the requirements of the NOFO and the [Preparedness Grants Manual](#).

## II. Definitions

Per section 889(f)(2)-(3) of the FY 2019 NDAA and 2 C.F.R. § 200.216, covered telecommunications equipment or services means:

- i. Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, (or any subsidiary or affiliate of such entities);
- ii. For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
- iii. Telecommunications or video surveillance services provided by such entities or using such equipment; or
- iv. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the People's Republic of China.

Examples of the types of products covered by this prohibition include phones, internet, video surveillance, and cloud servers when produced, provided, or used by the entities listed in the definition of "covered telecommunications equipment or services." See 2 C.F.R. § 200.471.

### 2. Allowable Costs

This grant only allows projects that will enhance election security through physical security enhancements for election infrastructure. Examples of allowable costs include but are not limited to: security cameras, shatter proof glass/film, alarms, security screening equipment, signage, lighting, access controls, and secure storage enhancements.

The 21 allowable prevention, protection, mitigation, and response equipment categories for SHSP are listed on the [Authorized Equipment List](#) (AEL). Some equipment items require prior approval from FEMA/OHS before obligation or purchase of the items. Please reference the grant notes for each equipment item to ensure prior approval is not required or to ensure prior approval is obtained if necessary.

Unless otherwise stated, all equipment must meet all mandatory regulatory and/or FEMA/OHS-adopted standards to be eligible for purchase using these funds. In addition, subrecipients will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

### Unallowable Costs

- Security personnel
- Per FEMA policy, the purchase of weapons and weapons accessories, including ammunition, is not allowed with SHSP funds.
- Grant funds may not be used for the purchase of equipment not approved by FEMA/OHS. Grant funds must comply with [FEMA Policy 207-22-0002, Prohibited or Controlled Equipment Under FEMA Awards](#) and may not be used for the purchase of the following equipment: firearms; ammunition; grenade launchers; bayonets; or weaponized aircraft, vessels, or vehicles of any kind with weapons installed.

## **Administrative and National Policy Requirements**

In addition to the requirements in this section and elsewhere in this NOFO, FEMA/OHS may place specific terms and conditions on individual awards in accordance with 2 C.F.R. Part 200.

In addition to the information regarding DHS Standard Terms and Conditions and Ensuring the Protection of Civil Rights, see the [Preparedness Grants Manual](#) for additional information on administrative and national policy requirements including the following:

- [Environmental Planning and Historic Preservation \(EHP\) Compliance](#)
- [FirstNet](#)
- [National Incident Management System \(NIMS\) Implementation](#)
- [SAFECOM Guidance on Emergency Communications Grants](#)

## **DHS Standard Terms and Conditions**

All successful applicants for DHS grant and cooperative agreements are required to comply with DHS Standards Terms and Conditions, which are available online at: [DHS Standard Terms and Conditions](#).

## **Ensuring the Protection of Civil Rights**

As the Nation works towards achieving the [National Preparedness Goal](#), it is important to continue to protect the civil rights of individuals. Subrecipients must carry out their programs and activities, including those related to the building, sustainment, and delivery of core capabilities, in a manner that respects and ensures the protection of civil rights for protected populations.

Federal civil rights statutes, such as Section 504 of the Rehabilitation Act of 1973 and Title VI of the Civil Rights Act of 1964, along with DHS and FEMA regulations, prohibit discrimination on the basis of race, color, national origin, sex, religion, age, disability, limited English proficiency, or economic status in connection with programs and activities receiving federal financial assistance from FEMA.

In accordance with civil rights laws and regulations, subrecipients must ensure the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.

## **Environmental Planning and Historic Preservation (EHP) Compliance**

Subrecipients proposing projects that have the potential to impact the environment, including, but not limited to, the construction of communication towers, modification or renovation of existing buildings, structures, and facilities, or new construction including replacement of facilities, must participate in the FEMA EHP review process. The EHP review process involves the submission of a detailed project description along with any supporting documentation requested by FEMA in order to determine whether the proposed project has the potential to impact environmental resources or historic properties.

In some cases, FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. Federal law requires EHP review to be completed before federal funds are released to carry out proposed projects. FEMA may not be able to fund projects that are not in compliance with applicable EHP laws, Executive Orders, regulations, and policies.

DHS and FEMA EHP policy is found in directives and instructions available on the [FEMA.gov EHP page](#), the FEMA website page that includes documents regarding EHP responsibilities and program requirements, including implementation of the National Environmental Policy Act and other EHP regulations and Executive Orders.

The GPD EHP screening is located at <https://www.fema.gov/media-library/assets/documents/90195>. Additionally, all subrecipients under this funding opportunity are required to comply with the [FEMA GPD EHP Policy Guidance, FEMA Policy #108-023-1](#).

**Contact Information:**

Additional information and resources can be located on the Missouri Department of Public Safety, Office of Homeland Security website: <https://dps.mo.gov/dir/programs/ohs/grantstraining/>

WebGrants System, application submission site: <https://dpsgrants.dps.mo.gov/index.do>

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