



Homeland Security Grant Program



Procedural Manual

2023

August

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Office of Homeland Security Overview

The Grants Management Procedural Manual serves as a primary reference to safeguard grant funds and support sub recipients that are trusted to implement and execute the grant programs. The manual should serve as a day-to-day management tool for Grants Management and a guide to those who administer the grant programs. This procedure also includes support for Department of Commerce and Office of Justice grant programs administered by the State Department of Defense, Office of Homeland Security (OHS).

The U.S. Department of Homeland Security, Federal Emergency Management Agency (DHS/FEMA), Grant Programs Directorate (GPD) awards various Homeland Security Grant Programs (HSGP) to enhance and develop state and local homeland security capabilities. The HSGP are administered by a Pass-Through Entity. In Hawaii, the Governor has designated the Hawaii Department of Defense, Office of Homeland Security (OHS) as the Pass-Through Entity. OHS is responsible for the management and administration of Homeland Security Grants. OHS passes the HSGP fund to various state and local jurisdictions and/or agencies to meet mandatory requirements.

OHS supports the preparedness grants that pertain to the HSGP. To date, the current programs are State Homeland Security Grant Program (HSGP), Urban Areas Security Initiatives (UASI) Program, Port Security Grant Program (PSGP), State and Local Implementation Grant Program (SLIGP), Stop School Violence (STOP) Grant Program and the Targeted Violence and Terrorism Prevention Grant Program (TVTP). In addition, Annex C-E provides an overview for additional grant programs OHS represents for the State of Hawaii.

Office of Homeland Security

A Hawaii capable of preventing, responding to, and recovering from any threat to the freedom, lifestyle, and safety of its people with properly equipped, well-trained responders, and prepared communities through committed local, State, and federal leadership.

Vision for Grants Management

The one-stop-shop for credible programmatic and financial grant leadership providing transparent data processes, collaborative partnerships with stakeholders, and a connection to Homeland Security priorities and outcomes.

Mission Statement

Manage Homeland Security funding to measurably build, improve and sustain capability to prevent, prepare for, protect against, and reduce the risks that Hawaii faces in times of acts of terrorism and natural disasters.

Strategic Goals

Collaborate with internal and external stakeholders to build partnerships and increase communication related to HSGP.

Provide accurate and timely information and services that positively guide, and influence sub recipients' use of HSGP funding.

Build a robust and standardized data analysis capability to quantify benefits and demonstrate the importance of grants management to Homeland Security priorities.

Streamline, standardize and document key processes to promote collaboration and consistency across the State and programs.

Develop a grants training program that builds a solid grants management discipline for the State of Hawaii to provide knowledgeable staff to support the grants management lifecycle.

The manual is provided as a resource. The preparedness grants have several compliance requirements which require sub recipients to participate in and/or report. This manual and the tools at the end of this document assist with meeting grant requirements. This document includes administrative guidelines and procedures to apply for, receive, manage, and close out Homeland Security funds that are awarded.

OHS is committed to restructuring the grants life cycle to focus on business practices aligned to grants management. The concepts are to establish a framework that will better align functions, practices, policies, and procedures that are integrated. This modernization begins with a common set of phases that comprise the grants management lifecycle and a list of business functions within the phases.



The Procedural Manual has been realigned under these new phases as shown in the model and the definition of the six phases. As the modernization program matures, these definitions may be redefined.

Phases	Definition
Pre-Award	The initiation of this phase can stem from a disaster event or funding acquisition from Congress. During this phase applications are submitted and may include the initial draft award package.
Award	The award phase establishes legally binding agreement between DHS/FEMA and the pass-through entity. The agreement contains the terms and conditions of the grant and obligates federal funds.
Post-Award	Risk Assessments are completed, Grant Articles are executed, and funds are distributed to sub recipients. Grant management and monitoring includes programmatic, financial and progress reports during the period of performance.
Monitoring	Oversight, review audit and action plans, perform programmatic and financial monitoring, desk reviews, site visits and provide technical assistance to sub recipients.
Closeout	Evaluation of the grant articles, financial reconciliation, and final reporting activities are completed during this phase.
Post-Closeout	Program review may include feedback, development, and application review from federal, state, local, and private partners through a formal or informal after-action process.

BUSINESS FUNCTIONS

The modernization program is supporting all the grants under the FEMA umbrella and defining the integrations of these different programs to support the emergency functions of protection, prevention, mitigation, response, and recovery.

Phases	Business Function	
Pre-Award	Operational Planning Pre-Award Disaster Obligation Eligibility Determination Grant Scoping and Costing Award Package Creation	Program Development System for Award Management Application Preparation and Submission Reviews
Award	Award Determination and Allocation Award Notification Award Obligation	Set Performance Expectations Terms & Conditions Internal Controls
Post Award	Risk Assessment Disbursement of Funds Award Management Programmatic & Financial Reporting	Award Monitoring Projects/Plans Execution Appeals
Monitoring	Financial and Programmatic Monitoring Appropriate Oversight Risky Based Monitoring Desk Reviews	Site Visits Corrective Action Entrance & Exit Conferences Producing Draft and Final Reports
Closeout	Closeout Package Final Reporting Grant File Creation	Final Reports Evaluation Final Financial/Appeals Reconciliation Closeout Notification
Post Closeout	Grant File Maintenance Program Evaluation	Feedback Reporting Maintenance and Monitoring of Completed Projects
Continuous	Yearly Program Requirements Audits/Monitoring/Reconciliations User Support Budget Formulation System Management Support External Reporting and Reporting PPB(E) Support Continuing Grant Assistance	Stakeholder Liaison Pre-Disaster Agreement (excluded from HSGP) Business Intelligence Analytics Data and Trend Analysis Assessments Internal Controls

As OHS continues the development of the grant management lifecycle, we have attempted to refine the processes. We encourage each of our sub recipients to help us maintain the procedural manual. If there are areas, we need to elaborate to make the procedural manual more beneficial for our different grant programs, please contact our office for more information:

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Honolulu, Hawaii 96816

Contact Information

Email: gmo@hawaii.gov
Phone Number: (808) 369-3570

Websites

Hawaii Department of Defense, Office of Homeland Security: <https://dod.hawaii.gov/ohs/>
Hawaii Homeland Security Training Opportunities: <https://www.eventbrite.com/o/hawaii-office-of-homeland-security-training-6910741921>

CYBER SECURITY

A critical concern for all programs is the importance of cyber protection and the risks associated with unknown actors trying to obtain information. Each sub recipient must take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or passthrough entity designates as sensitive or the non-Federal entity considers sensitive consistent with applicable Federal, state, and local laws regarding privacy and obligations of confidentiality. *Reference under CFR 200.303 (e).*

NATIONAL PRIORITIES

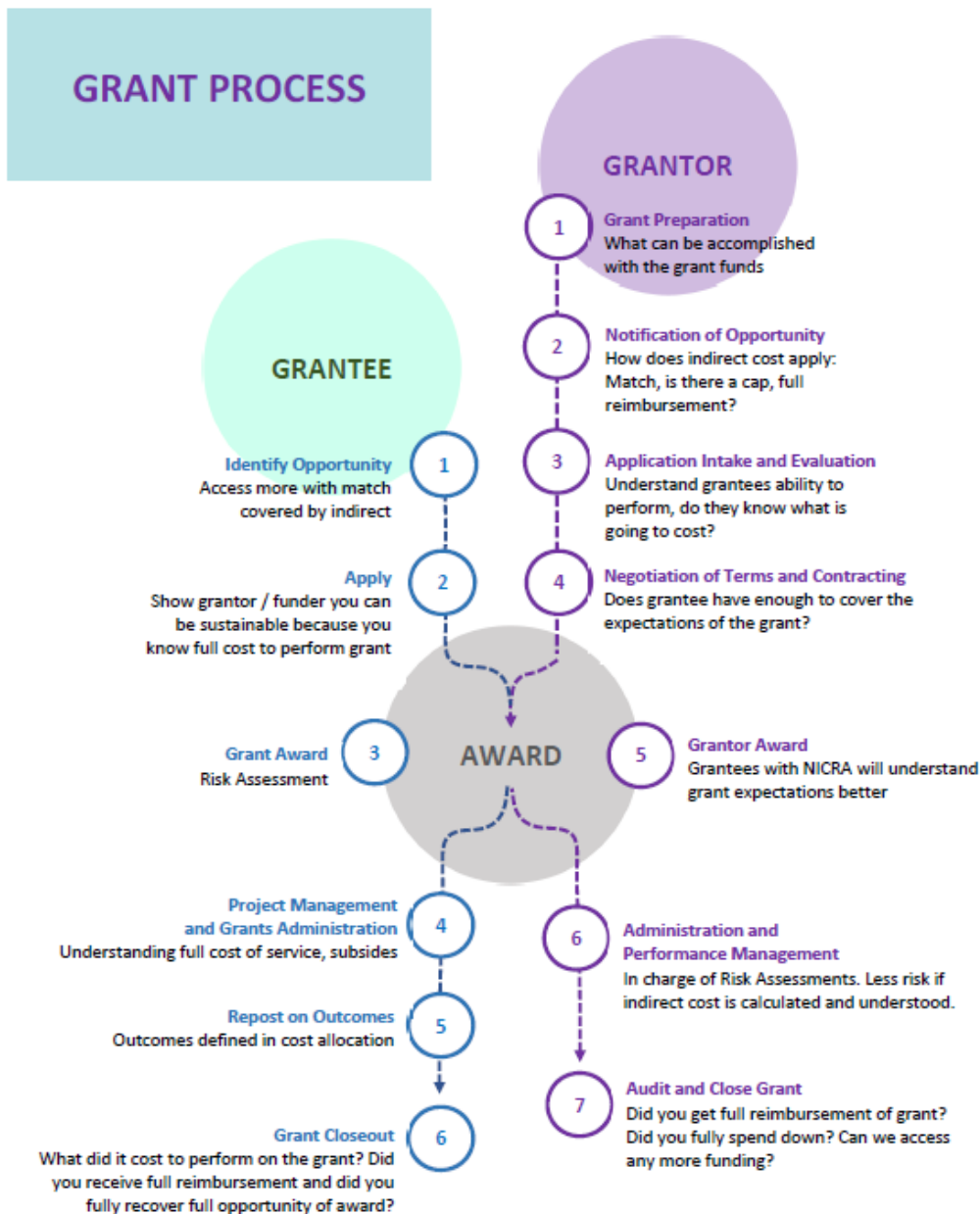
As threats to our nation evolves, so must the grant programs intended to prepare communities for those threats. DHS/FEMA has introduced the national priority areas in 2020 and added one more priority area “combating domestic violent extremism” in 2021.

- ✓ National Priorities aligns with at least one core capability identified in the Goal,
- ✓ Demonstrates how investments support closing capability gaps or sustaining capabilities identified in the THIRA/SPR process; and
- ✓ Supports a NIMS-typed resource and whether those assets are deployable/shareable to support emergency or disaster operations per existing EMAC agreements.

The investments must be 1) both feasible and effective at reducing the risks for which the project was designed; and 2) able to be fully completed within the three-year period of performance.

The National Priorities as noted in 2021 required a whole state participation in the development and execution of the investment. The OHS has assumed the role to help manage the investment but participation and support in work groups, discussions, assessments, etc., require each sub recipients support.

NATIONAL PRIORITIES	
FY 2020	FY 2021
1. Enhancing Cybersecurity – 5%	1. Enhancing cybersecurity - 7.5%
2. Enhancing the Protection of Soft Targets/Crowded Places – 5%	2. Enhancing the protection of soft targets/crowded places – 5%
3. Enhancing information and intelligence sharing and cooperation with federal agencies including DHS – 5%	3. Enhancing information and intelligence sharing and analysis, and cooperation with federal agencies, including DHS – 5%
4. Addressing Emergency Threats, such as Transnational Criminal Organizations and UAS – 5%	4. Combating domestic violent extremism – 7.5%
	5. Addressing emergent threats (e.g., transnational criminal organizations, unmanned aircraft systems [UASs], weapons of mass destruction [WMD], etc.) – 5%



Cost Allocation

For effective grants management, establishing a cost allocation plan will assist in maximizing the grant dollars allocated to each sub recipient. The graphic above provides a snapshot of what both the grantor (SAA – OHS) and grantee (each sub recipient) should consider when establishing grants management. The cost allocation will help set a methodology to capture expenditures to assist in managing the funding available. This is especially important with multiple grant programs.

Pre-Award Phase

Phase	Definition
Pre-Award	The initiation of this phase can stem from a disaster event or funding acquisition from Congress. Applications are submitted during this phase and may include the initial draft award package.

An annual grant meeting is conducted and held by OHS prior to the announcement of the Notice of Funding Opportunity (NOFO). The coordination and collaboration of projects are developed and discussed amongst potential sub recipients. All HSGP funded projects must have a demonstrated nexus to preventing, preparing for, protecting against, and responding to acts of terrorism. However, such projects may simultaneously support enhanced preparedness for disasters unrelated to acts of terrorism. The pre-award phase is the time to prepare for the grant application process.

OHS will host a Redbook Meeting with selected sub recipients to assist in the approved project investments and to determine the funding distribution when grant funding is awarded. In addition, previous award residuals are made available to support upcoming projects.

Other activities during the Pre-Award Phase includes:

GRANTS ADMINISTRATION AND NATIONAL POLICY REQUIREMENTS

National Preparedness System (NPS)

The National Preparedness Goal (the Goal) is “[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.” See Department of Homeland Security, National Preparedness Goal, Second Edition, 1 (Sept. 2015). The Goal essentially defines what it means for all communities to be prepared collectively for the threats and hazards that pose the greatest risk to the nation. The Goal identifies 32 distinct activities, called core capabilities needed to address the risks.

The Goal organizes these core capabilities into five categories, called mission areas. Some core capabilities apply to more than one mission area. For example, the first three core capabilities—Planning, Public Information and Warning, and Operational Coordination—are cross-cutting capabilities, meaning they apply to each of the five mission areas.

The National Preparedness Goal describes the five mission areas as follows:

1. **Prevention:** Prevent, avoid, or stop an imminent, threatened, or actual act of terrorism.
2. **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.
3. **Mitigation:** Reduce the loss of life and property by lessening the impact of future disasters.
4. **Response:** Respond quickly to save lives, protect property and the environment, and meet basic human needs in the aftermath of an incident.
5. **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 an incident.

The mission areas and core capabilities organize the activities and tasks performed before, during, and

after disasters into a framework for achieving the goal of a secure and resilient Nation. Resilience is the desired outcome, defined in the Goal as the “ability to adapt to changing conditions and withstand and rapidly recover from disruption due to emergencies.” Id. at A-2. For more information about the National Preparedness Goal, go to: <https://www.fema.gov/emergency-managers/national-preparedness/goal>.

Sub recipients will use the National Preparedness System to build, sustain, and deliver these core capabilities. The components of the National Preparedness System are: Identifying and Assessing Risk; Estimating Capability Requirements; Building and Sustaining Capabilities; Planning to Deliver Capabilities; Validating Capabilities; and Reviewing and Updating. Additional information on the National Preparedness System is available at <https://www.fema.gov/emergency-managers/national-preparedness/system>. Additional details regarding the National Preparedness System and how it is supported by these grant programs can be found in the program-specific appendices.

National Incident Management System (NIMS)

Agencies and activities receiving Homeland Security Grant funding are required to follow the annual NIMS Performance Compliance Objective Metrics. One major goal is to ensure we are following the proposed standard resource management concepts for typing, credentialing, and inventorying that promotes for mutual aid support during an incident.

Prior to allocation of any federal preparedness awards in FY 2021, sub recipients must ensure and maintain adoption and implementation of NIMS.

The NIMS Implementation Objectives have been updated. The 28 NIMS Implementation objectives are required to be initiated prior to applying for and receiving federal preparedness grants and awards. As draft doctrine becomes final and released, please note the objectives, tools, resources, and training will also refresh. Additional information can be found at: <https://www.fema.gov/emergency-managers/nims/implementation-training>. NIMS implementation is reported with the THIRA.

Threat and Hazard Identification and Risk Assessment (THIRA)

State and Urban Areas are required to develop a THIRA. Current THIRA process is changing going to a three-year process. During December 31, 2020, states, territories, and high-risk urban areas have completed a THIRA/SPR that addresses all 32 core capabilities and is compliant with Comprehensive Preparedness Guide (CPG) 201, Third Edition. The THIRA is a 3-step assessment process that provides a comprehensive approach for identifying and assessing risk and associated impacts. The THIRA process will provide a foundation to qualify and guide preparedness activities and investments for the state, county, and private sector. The THIRA will identify what threats and hazards can affect our community; if they occurred, what impacts would those threats and hazards have on our community; and based on those impacts, what capabilities should our community have. The THIRA helps to prioritize grant funding to support closing capability gaps or sustaining capabilities that address national priorities and/or support enduring needs.

The THIRA will be the basis for the grant investments and funding

The THIRA evaluates a wide range of threats and hazards based on analysis of relative consequences of the various threats and hazards. The THIRA will allow the comparison and prioritization of risks, vulnerabilities, and cascading effects. The THIRA also reviews resources most appropriate to achieve its capability targets. Additional information can be found at <https://www.fema.gov/threat-and-hazard-identification-and-risk-assessment>.

Stakeholder Preparedness Review (SPR)

The Stakeholder Preparedness Report (SPR) is a self-assessment of the jurisdictions current capability against the targets identified in the THIRA. The *Post-Katrina Emergency Management Reform Act of 2006* (Public Law 109-295) requires any State that receives Federal preparedness assistance to submit a State Preparedness Report to the DHS/FEMA. The submission of the SPR is a prerequisite for applicants to receive DHS preparedness grant funding. Future funding will be based on gaps identified by the THIRA. Additional information can be found at <https://www.fema.gov/stakeholder-preparedness-review>.

Grants Management Application Process

Most funding opportunities are posted in Grants.gov (<https://www.grants.gov/>) which serves as a storefront for grant programs. Each grant will issue a NOFO through Grants.gov but may also be released via email. OHS will normally post the NOFO on OHS website. While the terminology may change based on the issuing agency, the justification (projects, investments, work plan, narrative, etc.) will be provided to assist in developing the submission of the grant application.

Awarded Homeland Security Grant sub recipients will require an active Dun and Bradstreet (D&B) Data Universal Number System (DUNS) (<https://fedgov.dnb.com/webform/>) and registered with the System for Award Management (SAM) (<https://sam.gov/content/home>) database in order to receive an award.

There is no requirement to setup an account to access grants.gov. However, to establish a workspace and file an application, an account is required.

SAFECOM

All entities using preparedness grant funding to support emergency communications investments are required to comply with the SAFECOM Guidance on Emergency Communications Grants (SAFECOM Guidance). The SAFECOM Guidance provides current information on emergency communications policies, eligible costs, best practices, and technical standards for state and local recipients investing federal funds in emergency communications projects. It is also designed to promote and align with the National Emergency Communications Plan (NECP). Conformance with the SAFECOM Guidance helps ensure that federally funded investments are compatible, interoperable, resilient, and support national goals and objectives for improving emergency communications. Emergency communications investments also will be reviewed jointly by DHS/FEMA and the DHS Cybersecurity and Infrastructure Security Agency (CISA) to verify compliance with SAFECOM guidance.

Emergency Management Assistance Compact (EMAC) Membership

Sub recipients must belong to, be in, or act as a temporary member of EMAC. All assets supported in part or entirely with FY 2021 HSGP funding must be readily deployable and NIMS-typed when possible to support emergency or disaster operations per existing EMAC agreements.

Law Enforcement Terrorism Prevention Activities (LETPA)

Twenty-five percent of grant funding appropriated for grants awarded under HSGP's, UASI or both must be allocated to support law enforcement terrorism prevention activities. This applies to planning, organization, equipment, training, and/or exercises. Equipment can include items that support law enforcement such as communications.

Award Phase

Phase	Definition
Award	The award phase establishes legally binding agreement between DHS/FEMA and the pass-through entity. The award contains the terms and conditions of the grant and obligates federal funds.

The award phase starts when the pass-through entity accepts the award notice from the grantor. This means OHS the State Administrative Agency (SAA) must accept the award within 30 days of the award date and obligate the award within 45 days.

Award funds may not be used for matching funds for other federal grants/cooperative agreements, lobbying, or intervention in federal regulatory or adjudicatory proceedings.

PASS-THROUGH REQUIREMENT

Pass-through is defined as an obligation on the part of the pass-through entity to make funds available to local units of government or other organizations. The DHS/FEMA NOFO determines the amount of pass-through funds for the states. OHS will provide the articles to the sub recipient for review and signature.

Four requirements exist for the pass-through of grants funds:

1. There must be some action to establish a firm commitment on the part of the pass-through entity.
2. The action must be unconditional on the part of the awarding entity - no contingencies for availability of funds.
3. There must be documentary evidence of the commitment; and
4. The award terms must be communicated to the sub recipients.

The SAA must pass through at least 80 percent of the funds awarded to the sub recipients within 45 calendar days of the acceptance of the award notice. If any of the 80 percent of the funds are obligated for a state agency support, OHS will prepare an agreement (Retention of Funds) using the agreed approved funding distribution table. The funding distribution table workbook identifies the funding by agencies, investments, and projects. The funding distribution table will be included with the remaining 20 percent and Retention of Funds.

Sub recipient Agreement

Sub recipient Agreements should be delivered to Emergency Management Agencies / Civil Defense Administrators for initial signature/approval of the grant agreement articles and special conditions before submitted to the Mayor for signature.

Packet will include:

- Retention of funds*
- Initial Funding Distribution Table*
- Grant Award (From ND Grants)*
- Project Listing*
- Investment Justifications*
- Detailed Budget Worksheets*
- Sub recipient Risk Assessment*

The signatory authority of the SAA must certify in writing to DHS/FEMA that pass-through requirements have been met. A letter of intent (or equivalent) to distribute funds is not considered sufficient.

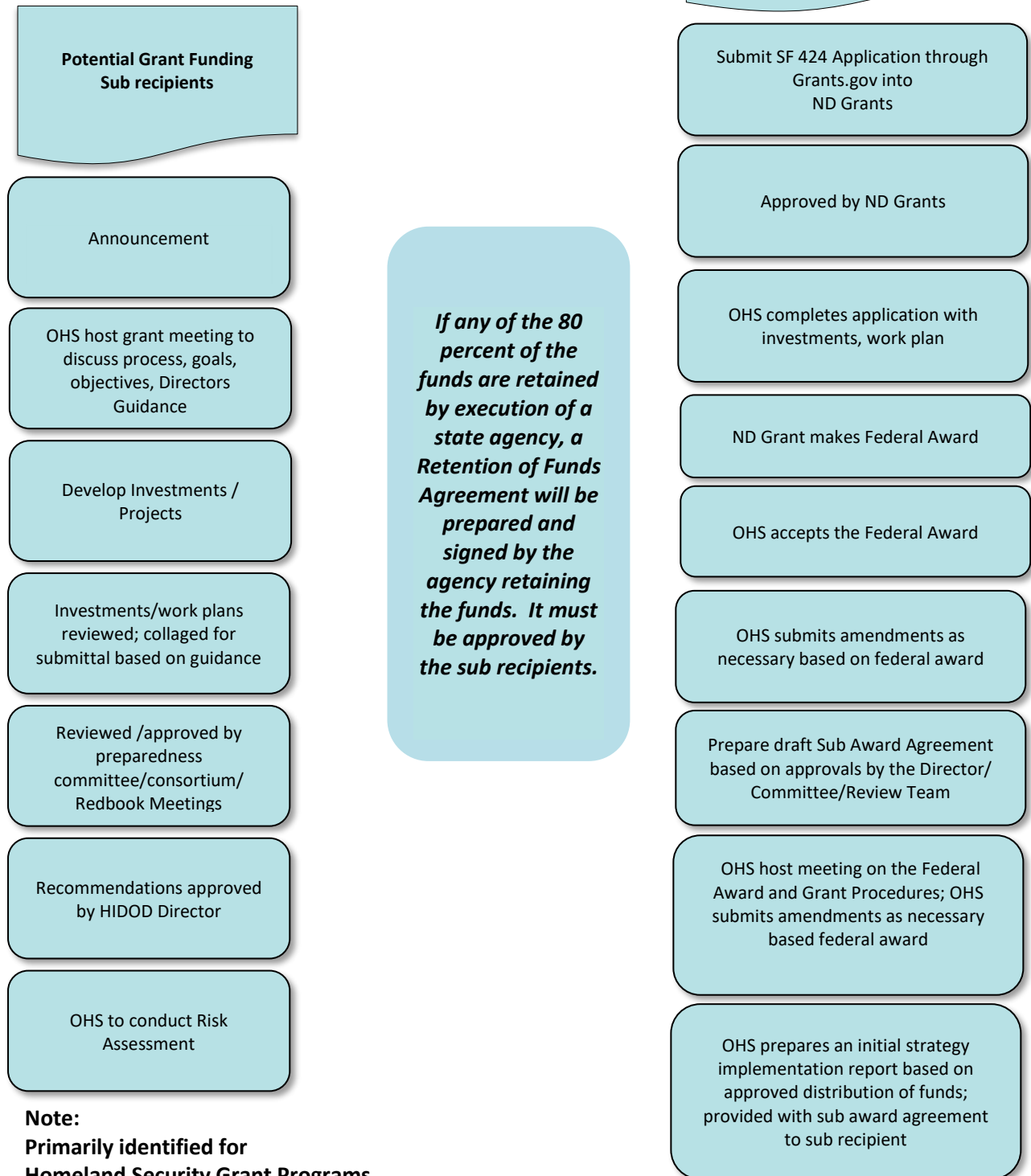
APPROVAL AND NOTIFICATION

The award grant agreement articles and special conditions will be issued with the agreed upon funding distribution table, which shall include terms and conditions with requirements concerning compliance with federal regulations and audit requirements.

ACCEPTANCE OF AWARD

The ***grant articles*** constitute a contractual agreement between OHS and the sub recipient for use of federal funds for the approved project. Acceptance of the award is made by the execution of the grant articles within 30 days from the date of the award notice.

APPLICATION AND AWARD PROCESS



Note:
Primarily identified for Homeland Security Grant Programs

GRANT ARTICLES

The grant award agreement articles and special conditions will identify the sub recipient, period of performance, sub recipient DUNS, award amount, grant number, CFDA number and name, funded investments, and projects. All correspondence must reference the grant number shown on the grant agreement articles and special conditions document.

FINANCIAL GRANTS MANAGEMENT

The sub recipient shall establish and maintain accurate financial records and an adequate accounting system to account for funds. This system should include measures to ensure:

- ✓ *Review of financial operations*
- ✓ *Record of all financial activities*
- ✓ *Budget and budget review*
- ✓ *Accounting for non-state and non-federal contributions*
- ✓ *Audit requirements*
- ✓ *Reporting of irregularities*

Accounting for all contract funds shall be structured and executed indicating other sources included in the approved project budget and shall be the foundation for fiscal administration and accounting. Contract applications and financial reports require budget and cost estimates based on total costs.

All sub recipients receiving federal funds through the pass-through entity are responsible for the management and fiscal control of all funds. Responsibilities include the accounting and maintaining of receipts, expenditures, and audits.

OHS also performs quarterly master file audits, office-based monitoring, and on-site sub recipients monitoring visits, to ensure grants management responsibilities are being met. This includes accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting and procurement policies and records, payroll records and means of allocating staff costs, property/equipment management system(s), progress of project activities, etc.

Post Award Phase

Phase	Definition
Post Award	Risk Assessments and grant articles are executed, and funds are distributed to sub recipients. Grant management and monitoring includes financial and progress reports during the period of performance.

ALLOCATION AND RE-ALLOCATION

The pass-through entity has the responsibility to monitor, allocate and re-allocate the Homeland Security funds based on risk, need and operations. One or all may require DHS Preparedness Officer and/or review with the Mayors to meet situation.

The allocation of the Homeland Security funds is to ensure the State is meeting the requirements identified in the funding/application guide as well as reducing risk and vulnerabilities. While the State has tried to meet all-hazard needs and requirements, it is important to point out the homeland security investments and projects all have a nexus to terrorism.

Since the pass-through entity has the need to monitor, allocation and re-allocate funding, re-allocation is difficult. It is important that sub recipients work diligently to obligate funding in Year 1 of the performance period; if not, the sub recipient must identify what process and requirements are in place to ensure obligation of the funds.

The period of performance is three years but OHS have instituted a two-year period of performance to ensure sub recipients would not delay obligation of funds. If there is a need for the third year, sub recipients are required to request an extension for the third year. The intent is to have sub recipients justify the need for the third year rather than expect the third year will be automatic. This process has been put into place to reduce last minute expenditures, reduce changes, and focus on what was originally requested in the investment/project sheets. The costs must be incurred, and products, and services must be delivered, within the period of performance of the award ([§200.403](#)).

In Annex A, Allocation and Re-allocation flow provides overview of actions throughout the life cycle on the allocation of funds and if there is a need to re-allocate funds.

The Preparedness Grant Programs (Homeland Security, Port Security and Emergency Management Performance Grants) support the implementation of Presidential Policy Directive 8 (PPD-8), with the development and sustainment of core capabilities. Core capabilities are essential for the execution of the five mission areas outlined in the National Preparedness Goals – prevention, protection, mitigation, response, and recovery. This is accomplished through coordinated planning, exercises, training, and equipment acquisition activities. Funds are also important to our communities for combatting terrorism and securing our homeland through the planning, training, exercising, and equipping our communities.

In addition, the development and execution of the investments should focus on developing programs and capabilities to help identify how prepared we are, how prepared we need to be, and the gaps related to an investment justification. Each investment is defined in a plan that aligns to the investment and the project. The investment is further defined by projects. These details will be defined in the DBW and the Quarterly Financial Workbook.

OHS provides day-to-day oversight of all grant records, reconciles, and approves programmatic activities, sub recipient expenditures, and provides support and assistance related to grants management. OHS

authorizes reimbursement for expenditures, audits Quarterly Financial Workbooks, and generates the reimbursement request with supporting documents for compliance and payments.

STANDARD FINANCIAL REQUIREMENTS

As a recipient of federal grant funding, OHS and each sub recipient shall comply with all applicable laws and regulations. For all grant programs **prior** to December 26, 2014, the references above are effective for administrative and cost principles; after this date [2 CFR § 200](#) is in effect.

The Uniform Guidance consolidates and changes the administrative requirements for all federal assistance.

2 CFR § 200 streamlines the language from existing Office of Management and Budget (OMB) circulars identified below into one **consolidated** set of guidance.

The Department of Homeland Security issued IB 400 FEMA’s Implementation of **2 CFR § 200**, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Grants and Agreements with Institutions of Higher Education, hospitals, and Other Non-Profit Organizations ([OMB Circular A-110](#)).

2 CFR § 220, Cost Principles for Educational Institutions (OMB Circular A-21).

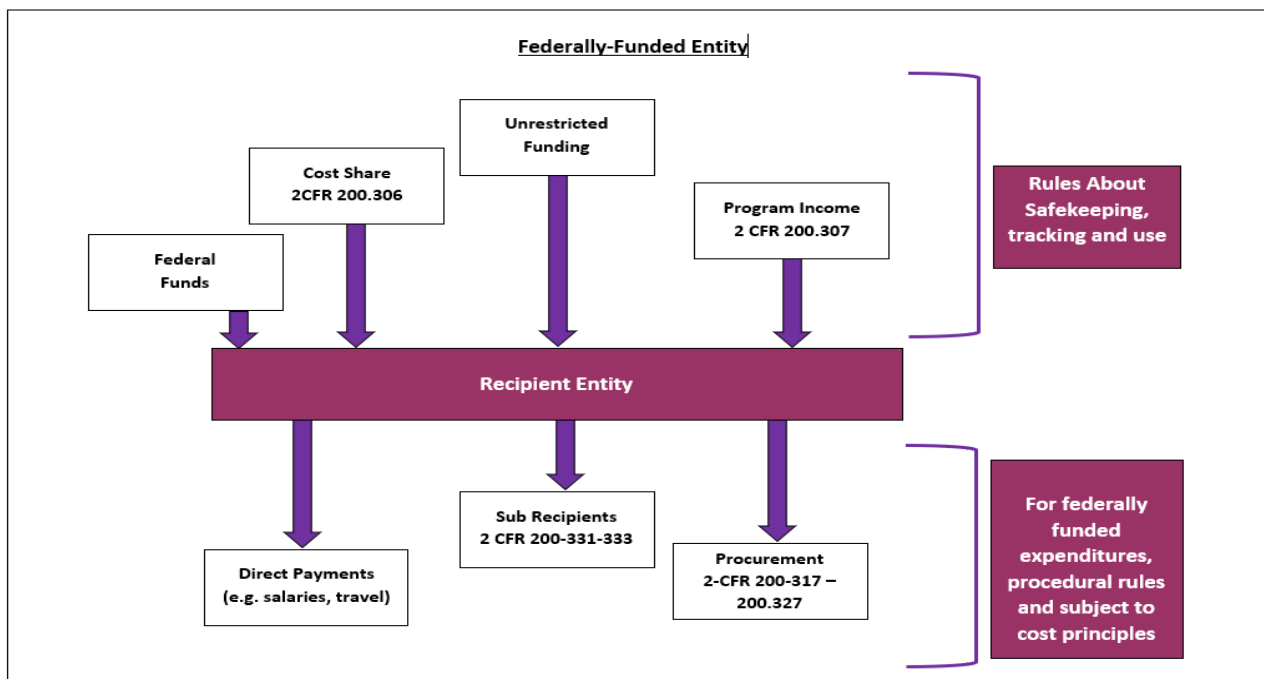
2 CFR § 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87).

2 CFR § 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122); and

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

Other references that apply to grant programs:

28 CFR § 23 - Technology systems funded or supported with Homeland Security Grant Program funds.



The Uniform Guidance is in its seventh year of implementation and has made significant changes to conflict of interest, internal controls, procurement, sub recipient monitoring, indirect costs, time and effort, and direct costs. Updates are constantly being made. Each sub recipient is encouraged to go online and visit the eCFR at <https://ecfr.io/> and have it available for reference.

CONFLICT OF INTERESTS 2 CFR § 200.112

Sub recipients must disclose to OHS, in writing, any real or potential conflict of interest as defined by the federal, state, or local statutes or regulations, which may arise during the administration of the HSGP sub award within five days of learning of the conflict of interest. **Refer to Grant Management Tool - Conflict of Interest Form.**

FRAUD, WASTE & ABUSE

Fraud is defined as “attempting to obtain something of value through willful misrepresentation.” **Waste** is defined as “squandering money or resources, even if not explicitly illegal. It may involve expending more than is required to achieve a goal or expending funds carelessly while not reaching and otherwise achievable goal.” **Abuse** is defined as “behaving improperly or unreasonably or misusing one’s position or authority.” Abuse includes the misuse of authority for personal financial interests or those of an immediate or close family member or business associate. Sub recipients must be able to differentiate fraud, waste, and abuse to prevent their occurrence, detect them when they occur, and mitigate their impacts when they cannot be prevented.

Sub recipients should examine its operations and programs to identify and eliminate vulnerabilities to fraud and other risks. An organization with transparent procurement processes, adequate supporting documentation, and zero tolerance for conflicts of interest have the barriers in place to safeguard it from many potential risks. Specific anti-fraud practices may include education and training about fraud risks and fraud detection. A major prevention strategy is the establishment and maintenance of a well-tested system of internal controls. Routine follow-up with unresponsive programs will reveal whether these measures are successful, and whether best practices are being maintained.

INTERNAL CONTROLS 2 CFR § 200.303

Each entity receiving Federal Grant funds must establish and maintain effective internal controls over federal awards to provide reasonable assurance that awards are being managed in compliance with laws and regulations.

MANDATORY DISCLOSURES 2 CFR § 200.113

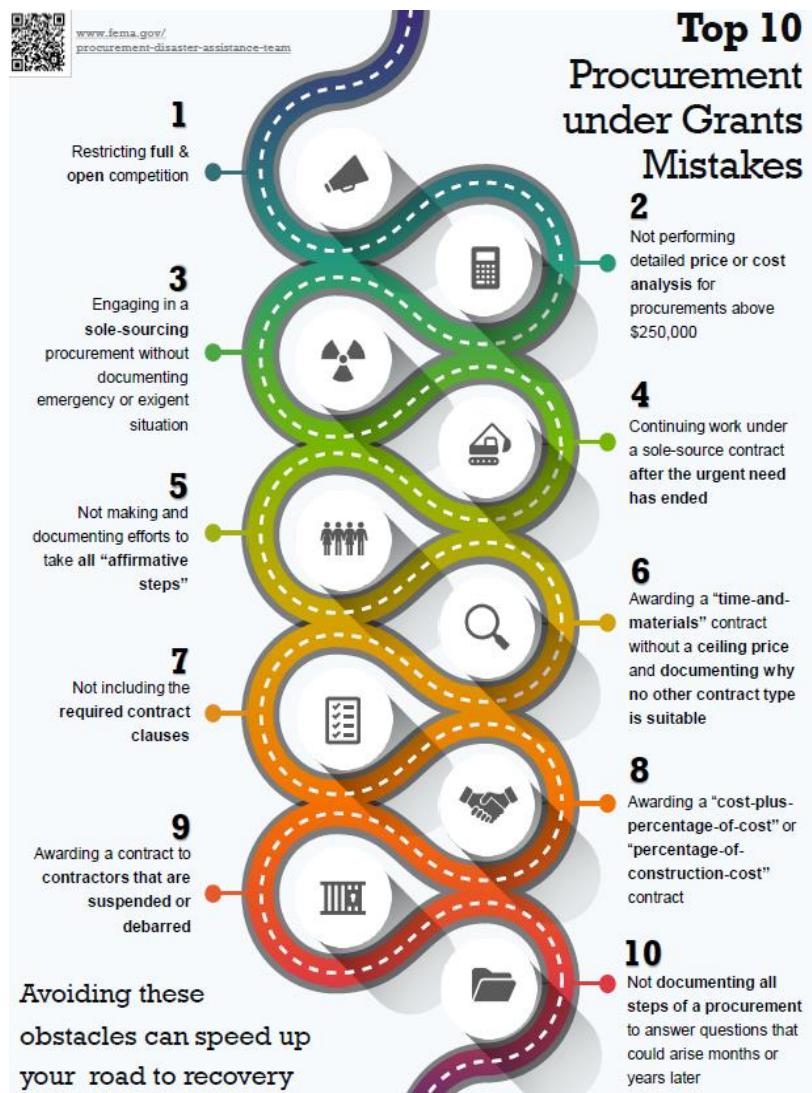
The non-Federal entity or applicant for a Federal award must disclose, in a **timely manner, in writing** to the Federal awarding agency or pass-through entity all **violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially** affecting the Federal award. Non-Federal entities that have received a Federal award including the term and condition outlined in appendix XII - Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to Systems for Award Management (SAM). **Failure to make required disclosures can result in any of the remedies described in § 200.339 (Remedies for noncompliance).** (See also 2 CFR part 180, 31 U.S.C. 3321, and 41 U.S.C. 2313). [85 FR 49539, Aug. 13, 2020]

PERSONAL IDENTIFIABLE INFORMATION (PII)

OHS and each sub recipients must take measures to protect personally identifiable information of individuals who may be seeking reimbursement and must submit personal information. In accordance with 2CFR § 200 Part 79, PII means any information that is used to distinguish or trace an individual identify, either alone or when combined with other personal or identifying information that is linked to a specific individual. Each sub recipient is required to assess records when forwarding for reimbursement the risk of information that an individual can be identified. Records that might require additional protection may include time sheets/records, travel and or payment of individual as vendor. Safeguarding may include but not limited to safeguarding records in a locked container and redacting of personal information in records that may identify an individual.

PROCUREMENT

Procurement expands the administrative requirements. Competition is stressed in procurement. The procurement standards with thresholds are identified under the Procurement Claw, 2CFR §200.320. Under 2 CFR §200.317, when procuring property and services under a federal award, states must follow the same policies and procedures they use for procurements from their non-federal funds; additionally, states must follow 2CFR §200.323 regarding procurement of recovered materials, and 2CFR §200.327 regarding required contract provisions. State and county must have written procurement policies; take all necessary affirmative steps to assure that minority business, women’s business enterprises, and labor surplus area firms are used when possible (not just “positive effort but whenever possible”); must ask for representation regarding actual or potential conflict of interest; perform a cost or price analysis when purchase is in excess of simplified acquisition thresholds; maintain procurement records that sufficiently detail the history of all procurements, not just those over small purchase threshold. There are certain items that must be placed in all new contracts as identified under the Uniform Guidance.



SUB RECIPIENT MONITORING

Sub recipient monitoring includes the review of the Risk Assessment matrix and evaluation of each sub recipient's risk of non-compliance and to ensure that the award is used for authorized purposes, in compliance with federal statutes, regulations and the terms and conditions of the sub-award and that the sub-award performance goals are achieved. OHS will complete the Risk Assessment of each sub recipient prior to the release of the grant award and will be included with in the sub recipient award packet. This will include review of financial and programmatic reports and internal controls. Follow-ups are to ensure that the sub recipient takes timely and appropriate action on all deficiencies pertaining to the Federal award through audits, on-site reviews and other means and issue management decision for audit findings. **Refer to Monitoring Phase and Annex A, Grants Management Tools.**

INDIRECT COSTS

Currently, the State does not have an indirect cost rate. Recovery of indirect costs may be accomplished through several mechanisms:

1. Use of the 10 percent de minimis indirect cost rate.
2. Application of negotiated indirect cost rate.
3. Allocation of indirect costs through a cost allocation plan or procedure.

TIME AND EFFORT REPORTING

The new guidance is less prescriptive on documentation but more emphasis process and internal controls. For personnel working activities or cost objectives, a distribution of wages will need to be supported by personnel activity reports or equivalent documentation where it is completed after the actual period of reporting, must account for total activity of each employee, must be prepared at least monthly and coincide with one or more pay periods and signed by the employee.

DIRECT COSTS

Direct costs can be identified with a specific final cost objective. Cost objective means a function, organizational subdivision, contract, grant, or other activity for which cost data are needed and for which costs are incurred. For example, compensation of employees for effort on the performance of the award, materials and supplies and travel expenses.

Definition of supplies - if the acquisition cost of computer equipment is lesser of capitalization policy or \$5,000.00 (regardless of the length of the device's useful life), it should be considered a supply.

Computer equipment can be charged as direct costs if they are essential and allocable, but not solely dedicated to the performance of a federal award.

Grant Compliance is responsible of all agencies involved in the grant award and execution.

The information that follows provides references for different parts of the Uniform Guidance. It is important that the Uniform Guidance be shared with your team, so

Grant Compliance



they become familiar with the document.

TIMELINES FOR PROJECTS

Sub recipients must describe a timeline for completion or acquisition of all projects in the application and in the development of the detailed budget worksheet. The two-year period of performance was implemented for sub recipients to not delay in the project development. **If a project is delayed, OHS may recommend the project funds be de-obligated and re-allocated to another sub recipient for other projects.** This is not desired.

If a change in the project is required, identifying this early in the performance period allows time for the administrative responsibilities – the change form is required, update to the detailed budget worksheet, the Environmental Historical Assessment will be required, and approval from DHS may be required.

RE-ALLOCATION OF UNSPENT FUNDS

Federal law mandates that unspent federal funds must be returned to the federal government at the end of the grant period. **To ensure that the pass-through entity does not have to return funds, unspent funds will be de-obligated and re-allocated at least six months before the grant period ends.** Consideration will be given to local jurisdictions with completed approved projects and unfunded projects that were received in the initial grant application. New projects will be considered after the two conditions above are met.

Re-allocated funds will be awarded on a competitive basis, risk assessment, or if the procurement can be executed prior to closeout.

If agencies/activities have requirements that align to the THIRA and Homeland Security focus areas supporting improving a capability, an investment form should be submitted to OHS. While there will be no guarantee to support the activity, it can be placed in the queue for consideration if additional funding becomes available. This is critical in that it justifies why funding is provided to one agency over another. OHS will make recommendations to the approving authority regarding the re-allocation of funds.

GRANT EXTENSIONS

The period of performance for the FY 2018 through 2021 Homeland Security Grant Programs is three years. **Internally OHS has mandated a two-year period of performance to complete projects.** If an extension is required for the third year, a request should be submitted with the Quarterly Financial Workbook six months prior to the end of the period of performance via email to OHS. Extensions will not be considered if submitted less than six months prior to the end of the period of performance. Consideration for the third year will be on a case-by-case basis with the following information required below:

- ✓ *Grant program and year*
- ✓ *Investment and project information*

Sub recipients must update their Emergency Operations Plans (EOP) at least once every two years to remain compliant with the CPG 101 version 2.0.

Recipients report EOP compliance with CPG 101 v2 in the URT.

This information for the State and UASI will be included with the Stakeholder Preparedness Report (SPR).

- ✓ Reason for the delay; provide what your agency has accomplished in relation to being able to expend the funds
- ✓ Current status of the activity
- ✓ Remaining available funds
- ✓ Strategy/milestones to complete the project

PLANNING

Planning activities are central to program development and achievement of core capabilities. Accordingly, funds may be used for planning efforts that promote sub recipients' efforts to prioritize needs, build capabilities, update preparedness strategies, allocate resources, deliver preparedness programs across disciplines (e.g., law enforcement, fire, EMS, public health, behavioral health, public works, agriculture, information technology and citizen preparedness) and levels of government. The planning processes should address emergency operations plans and protocols for addressing major events and program planning for the successful implementation and management of each State's Homeland Security Program. Comprehensive Preparedness Guide (CPG) 101 version 2.0 should be used when any plan is being developed or modified. This is a reportable action under the Preparedness Grants and identified in the **Quarterly Financial Workbook**.

ORGANIZATION – NATIONAL TERRORISM ADVISORY SYSTEM

The Homeland Security funds can be used for an increase to the Hawaii Homeland Security Advisory System/National Terrorism Advisory System (NTAS). The use of the Homeland Security funds for overtime for an incident is not an arbitrary decision – the incident must be collaborated by the Federal Bureau of Investigation, DoD, and State Fusion Center, in coordination with the Governor/Mayor, regarding whether the situation warrants an increase to the advisory. If the advisory is increased, decisions may require funds to be re-distributed to help off-set overtime costs. Overtime will be reported using the **Overtime Reimbursement Worksheet**.

EQUIPMENT

The Authorized Equipment List (AEL) is a list of approved equipment types allowed under FEMA's preparedness grant programs. The intended audience of this tool is emergency managers, first responders, and other security professionals. The list consists of 21 equipment categories divided into subcategories, tertiary categories, and then individual equipment items.

- ✓ Investments in emergency communications systems and equipment must meet applicable SAFECOM Guidance. Such investments must be coordinated with the Statewide Interoperability Coordinator (SWIC) to ensure interoperability and long-term compatibility.
- ✓ Effective August 13, 2020, DHS/FEMA recipients and sub recipients **MAY NOT** use grant funds under the programs covered by this Manual and provided in FY 2021 or previous years to:
 - Procure or obtain, extend, or renew a contract to procure or obtain, or enter into 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.

**ITEMS IN THIS SECTION
REQUIRES COORDINATION
WITH THE OFFICE OF
HOMELAND SECURITY PRIOR
TO ANY ACTION BEING
INITIATED TO INCLUDE
PREPARING
INVESTMENTS/PROJECTS**

- This prohibition regarding certain telecommunications and video surveillance services or equipment is mandated by section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (FY 2019 NDAA), Pub. L. No. 115-232 (2018). Recipients and sub recipients may use DHS/FEMA grant funding to procure replacement equipment and services impacted by this prohibition, provided the costs are otherwise consistent with the requirements of this Manual, applicable appendix to this Manual, and applicable NOFO. DHS/FEMA will publish additional guidance in a subsequent Information Bulletin or similar notice.
- 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).
- 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.
- ✓ Procurement of medical countermeasures must be conducted in collaboration with Department of and with existing Metropolitan Medical Response System (MMRS) committees where available, to sustain their long-term planning for appropriate, rapid, and local medical countermeasures, including antibiotics and antidotes for nerve agents, cyanide, and other toxins. Procurement must have a sound threat-based justification with an aim to reduce the consequences of mass casualty incidents during the first crucial hours of a response.
- ✓ Critical emergency supplies, such as shelf stable products, water, and medical equipment and supplies are an allowable expense under HSGP and UASI. Prior to the allocation of grant funds for stockpiling purposes, each state must have DHS/FEMA’s approval of a five-year viable inventory management plan, which will include a distribution strategy, an inventory and rotation management plan, and sustainment costs regardless of the amount the sub recipient desires to allocate.
- ✓ **UNALLOWABLE EQUIPMENT**
 - Per FEMA policy, the purchase of weapons and weapons accessories, including ammunition, is not allowed with HSGP funds.
 - Grant funds may not be used for the purchase of equipment not approved by DHS/FEMA. Grant funds must comply with IB 426 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.
 - Unauthorized exercise-related costs include:
 - Reimbursement for the maintenance or wear and tear costs of general use vehicles (e.g., construction vehicles), medical supplies, and emergency response apparatus (e.g., fire trucks, ambulances).
 - Equipment that is purchased for permanent installation and/or use, beyond the scope of the conclusion of the exercise (e.g., electronic messaging sign).

TRAINING

A multi-year training and exercise plan is required to be on file with the National Preparedness Directorate. This document will help schedule training and exercises as well as to provide visibility for agencies to participate in these activities. Training funds are primarily for institutionalizing, establishing, conducting, and attending training programs specifically identified under a training awareness program. The target audience for training courses includes emergency prevention, protection, response, and recovery personnel, emergency managers and public/elected officials within the following disciplines: fire service, law enforcement, emergency management, emergency medical services, hazardous materials, public works, public health, health care, public safety communications, governmental administrative, and the private sector. The target audience also includes personnel representing functional areas such as critical infrastructure/key resource protection including cyber, agriculture and food security. The Homeland Security training program may also include training for citizens in preparedness, prevention, response skills and volunteer activities and should be coordinated through State and Local Citizen Corps Councils. The training program should be self-sustaining, following the model outlined for exercises.

Training conducted using HSGP funds should address a performance gap identified through the THIRA, an After-Action Report (AAR)/Improvement Plan (IP), or build a capability that will be evaluated through an exercise. Exercises should be used to provide responders the opportunity to demonstrate and validate skills learned in training as well as to identify training gaps. Any advanced training or training gaps should be identified in the AAR/IP. Authorized training expenses are announced in the Grant Program NOFO.

Homeland Security funds may be used to support training courses that do not appear in the DHS National Preparedness Directorate Training Catalog or are not one of the federally approved training compendium courses identified in the Funding Opportunity Announcement (FOA) for Homeland Security Grant Guidance. The pass-through entity or representative must request approval to commit funds through the State's Department of Homeland Security Program Analyst.

OHS recognizes there are many courses and many activities that provide training. To ensure that funding is available, and an opportunity is extended Statewide, agency training coordinators should discuss training opportunities with OHS before making a commitment. Training opportunities should also be identified in the annual Multi-Year Training and Exercise Plan which is required as a fulfillment for grant funding. Training requests should be submitted to OHS to ensure special training needs are known and can be reviewed and potentially scheduled. The National Preparedness Directorate National Training and Exercise Online Course Catalog User Guide can be found at <http://www.training.fema.gov/>. OHS request sub recipients report all training and exercises with the Quarterly Financial Workbook.

COMBATING RACE AND SEX STEREOTYPING

Agencies should continue all training that will foster a workplace that is respectful of all employees. Agency employees and contractors are not to engage in divisive training of Federal workers.

- (a) "Divisive concepts" means the concepts that (1) one race or sex is inherently superior to another race or sex; (2) the United States is fundamentally racist or sexist; (3) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (4) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex; (5) members of one race or sex cannot and should not attempt to treat others without respect to race or sex; (6) an individual's moral character is necessarily determined by his or her race or sex; (7) an individual, by virtue of his or

her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (8) any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or (9) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race. The term “divisive concepts” also includes any other form of race or sex stereotyping or any other form of race or sex scapegoating.

- (b) “Race or sex stereotyping” means ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of his or her race or sex.
- (c) “Race or sex scapegoating” means assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of their race or sex. It similarly encompasses any claim that, consciously or unconsciously, and by virtue of his or her race or sex, members of any race are inherently racist or are inherently inclined to oppress others, or that members of a sex are inherently sexist or inclined to oppress others.
- (d) “Senior political appointee” means an individual appointed by the President, or a non-career member of the Senior Executive Service (or agency-equivalent system).

Each agency shall report to Office of Management and Budget (OMB) all spending in Fiscal Year 2021 on Federal employee training programs relating to diversity or inclusion, whether conducted internally or by contractors. Training or education on the divisive concepts is not an allowable cost unless otherwise provided by law.

EXERCISES

Exercises conducted with the FEMA/National Preparedness Directorate support (grant funds or direct support) must be managed and executed in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP) guidance in support of the National Exercise Program (NEP).

HSEEP in line with the National Preparedness Goal and the National Preparedness System—supports efforts across the whole community to improve our national capacity to build, sustain, and deliver core capabilities for evaluation during the exercise. Exercise evaluation assesses the ability to meet exercise objectives and capabilities by documenting strengths, areas for improvement, core capability performance, and corrective actions in an AAR/IP.

Through improvement planning, organizations take the corrective actions needed to improve plans, build, and sustain capabilities, and maintain readiness. Counties/State Agencies desiring to use HSGP funding for exercises should have their exercise identified in the Training and Exercise Plan and identified in the DBW.

The **Exercise Request Form** is required to be completed for all exercises regardless if county funds are being used or if requesting additional funds/contract support. The Exercise Request Form should be forwarded to OHS for pre-approval, specifically if overtime is being requested. The Exercise Request Form provides:

- *What: Purpose, short description and benefit of the proposed exercise activity*
- *Who: Participants included in the activity*

If grant funds are used, an After-Action Report (AAR) and Improvement Plan (IP) are required to be filed with the grant files by the sub recipient and OHS within 90-days after completion.

OHS encourages sub recipient file their exercise AARs with their Quarterly Financial Workbook to assist with analysis for investments/projects.

- *Where: Site location*
- *When: Date of the activity*
- *Estimated costs for the exercises*

Sub recipients participating in exercises should ensure the exercise is reported in hseep@fema.dhs.gov within 90 days after the exercise. Sub recipients must report on all exercises using homeland security funding and/or associated with homeland security. An AAR/IP or Summary Report must be completed and submitted to OHS within 90 days after the exercises.

Sample AAR/IP template is available at <https://preptoolkit.fema.gov/web/hseep-resources/improvement-planning>. Recipients are encouraged to enter their AAR/IP in the Preparedness Toolkit at <https://preptoolkit.fema.gov>.

Sub recipients will be required to report training and exercises on the Quarterly Financial Report; OHS will support uploading of exercises.



PERSONNEL COSTS

Programmatic spending of HSGP funds may be used to support the hiring of full or part-time personnel to conduct program activities that are allowable under the Grant Program FOA (i.e., planning, training program management and/or exercise program management). These individuals should be identified under planning, exercises, or training solution areas. Personnel will be specifically identified as program support or grant management. The program support personnel are not counted against Maintenance and Administration (M&A) but specific program (planning, training, and exercises) funds. All personnel, to include Grant Management personnel, are counted against the 50 percent compliance for personnel and personnel related activities. Department of Homeland Security caps the percentage amount for personnel and will require prior approval before exceeding that percentage. M&A will be recorded under the **planning** solution and specifically designated as M&A.

Payroll reports must be signed and certified by the county/state fiscal/budget officer that capture the employee’s name, position, coded allocation to the project and amount paid. Staff may not self-certify their own time and wages. The sub recipient shall retain (or have access to) all supporting payroll records, including time and attendance records signed by the employee and supervisor and copies of warrants as per recordkeeping requirements. Personnel costs related to the HSGP are subject to the personnel reimbursement under Public Law 110 - 412 – “Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security act of 2008” or “the Price of Homeland Security Act.” All personnel being paid under the grant will submit a copy of the position description to OHS. Planning, organization, equipment, training, and exercises are the five components that must be reported in the Bi-annual Strategy Implementation Report.

MAINTENANCE AND ADMINISTRATION (M&A)

For the HSGP, M&A is allowed as stipulated in the NOFO. A maximum of up to five percent of HSGP funds awarded may be retained by the state, and any funds retained are to be used solely for M&A purposes associated with the HSGP award. Sub recipients may also retain a maximum of up to five percent of the funding passed through by the state solely for M&A purposes associated with the HSGP award. M&A costs are not operational cost but are necessary costs incurred in direct support of the grant

or as a consequence of the grant. M&A activities are those directly relating to the management and the administration of a grant, such as financial management and reporting. The M&A funds must also be identified against the strategy, an investment and identified on the DBW. If M&A is not identified in an investment or on the DBW, M&A is not an authorized expenditure. Sub recipients are required to have the following documentation submitted to OHS prior to draw down request:

- A copy of personnel description and hiring documentation
- A copy of latest fringe benefit computation letter/memo

Sub recipients must also ensure that personnel hired against programs are required to dedicate 100% of their time to the grant program otherwise sub recipients are in violation of the grant. Timesheets shall be maintained to track the amount of time associated with the program(s) and project(s). Payroll must be certified and maintained with grant records.

TIME AND ATTENDANCE

Personnel hiring, overtime, and backfill expenses are permitted under the HSGP in order to perform allowable State HSGP planning, training, exercise, equipment, and M&A activities. **All personnel costs (salary and fringe)** will be entered on the DBW. A copy of all Personnel Descriptions is to be provided to OHS for inclusion in grant folders.

Employees who work solely on a single cost objective will have their time and effort confirmed twice annually using a Semi-Annual Certification. The employee or supervisor with firsthand knowledge of the employee's work will certify that all time and effort expended in the prior six-month period was in accordance with the cost objective identified on the form. Timesheets and payroll records documenting hours worked are required for reimbursement. An employee's time record must be completed for each person paid for time worked on the grant.

Monthly Certifications will include the names of all individuals paid through a specified federal grant who have worked on a single cost objective in the previous six-month period, July 1st – December 31st and January 1st – June 30th. Sub recipients will forward a copy of the Semi-Annual Certifications to OHS for retention with Payroll documents by end of the month following the time periods above.

Refer to Annex A, Sample Timesheet. Grant Managers must provide a copy of payroll information with payroll reimbursement requests.

Activities that are considered personnel and personnel-related, and therefore count against the personnel cost cap include, but are not limited to: **overtime/backfill (refer to overtime/backfill categories within this manual for procedures)** to participate in approved training or exercise deliveries; salaries and personnel costs of planners, equipment managers, exercise coordinators, and/or training coordinators; salaries and personnel costs under the M&A category.

Homeland Security Grant funds may **not** be used to support the hiring of any personnel for the purposes of fulfilling traditional public health and safety duties or to supplant traditional public health and safety positions and responsibilities.

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

INVESTMENT AND PROJECTS

An investment is the potential allocation of money and expected return. It usually will mean acquiring an asset using the **Planning, Organization, Equipment, Trainings and Exercises (POETE)** element. Under each completed investment there will be a project or projects. Below are steps of effective/efficient project execution.

Steps	Description	Process
Initiative	The authorization to begin work or resume work on any activity.	Involves preparing for, assembling resources, and getting work started. May apply to any level, e.g., program, project, phase, activity, or task.
Plan	The purposes of establishing, at an early date, the parameters of the project that is going to be worked on as well as to try to delineate any specifics and/or any peculiarities to the project as a whole and/or any specific phases of the project.	Involves working out and extending the theoretical, practical, and/or useful application of an idea, concept, or preliminary design. This also involves a plan for moving a project concept to a viable project.
Execute	The period within the project lifecycle during which the actual work of creating the project's deliverables is carried out.	Involves directing, accomplishing, managing, and completing all phases and aspects of work for a given project.
Control	A mechanism which reacts to the current project status in order to ensure accomplishment of project objectives. This involves planning, measuring, monitoring, and taking corrective action based on the results of the monitoring.	Involves exercising corrective action as necessary to yield a required outcome consequent upon monitoring performance or the process of comparing actual performance with planned performance, analyzing variances, evaluating possible alternatives, and taking appropriate corrective action as needed.
Close Out	The completion of all work on a project. Also refer to completion of a phase of the project.	Involves formally terminating and concluding all tasks, activities, and component parts of a project, or phase of a project.

DETAILED BUDGET WORKSHEETS (DBW) AND CHANGES

All equipment, training, exercises, planning and maintenance and administrative requirements using grant funds are required to be recorded in the DBW. Funds are prohibited to transfer between programs. New requirements must be aligned to the Implementation Strategy for Homeland Security/UASI Homeland Security Plans and be recorded on the DBWs. Coupled with the investment justifications, all funds have been aligned to the State of Hawaii Implementation Strategy for Homeland Security Strategic Plan. All funds have been entered into the Bi-Annual Strategy Implementation Plan distributing the homeland security funds, planning solution areas (Planning, Organization, Equipment, Training and Exercises, Maintenance and Administration and Personnel), investment and project. If funds have not been specifically allocated against a specific category, funding is not authorized to be expended for the category unless a DBW change request is submitted and approved. OHS will update the DBW based on the change request.

Changes

It is important to understand that changes may be made if it becomes necessary to re-allocate funds for a different purpose than identified in the initial DBW. The change must relate to one of the approved investments/projects by the DHS/FEMA. If changes are necessary during the period of performance, sub

receipts must submit a DBW change sheet to OHS for review/approval. The DBW change sheet form is all inclusive providing opportunity for an explanation of the change being requested. Changes must be consistent with the scope of the investment/project and grant guidelines. OHS will consider changes only if the reporting requirements are current. Changes exceeding \$150,000.00 and/or ten percent (10%) of the budget **cumulative** over the course of the award lifecycle or change in investments/projects will require an amendment to be submitted through Non-Disaster (ND) grants for budget and program review by DHS/FEMA. **Please note that the review process may delay any project commitment initiatives.** OHS will notify the sub recipient if an EHP is required for the investment/project's changes.

OVERTIME REQUESTS

The grant allows for the payment of overtime for responders participating in training, exercises, planning and elevated threats to the Hawaii Homeland Security Advisory System/NTAS. This payment requires detailed oversight to ensure an individual does not receive dual compensation. Overtime payments are allowed only to the extent that the payment for work performed is in excess of the established work week. All overtime should be initially identified on the **Overtime Request Form**. The Overtime Request Form supports the use of grant funding for overtime with prior approval by OHS. An agency/department approved overtime request is also required before overtime can be reimbursed. The following documentation is required to support an overtime payment:

- *Overtime request/authorization (use training, exercise, or National Terrorism advisory System)*
- *Agency/Department approval for overtime*
- *Authorized Time Sheets that substantiate hours worked, dates, and reason for overtime.*
- *Payroll Register showing payment for overtime*
- *Agency Summary Sheet. Fringe benefits on overtime hours are limited to FICA, Workers' Compensation and Unemployment Compensation*
- *Overtime Detailed Summary for Reimbursement (excel spreadsheet for computing overtime).*
- *Cover letter/Bill for Collection for State Agencies*

The **Overtime Reimbursement Form and Worksheet** are available to assist in developing the overtime details. The excel worksheet is setup with formulas, which help simplify calculations. Before entering data into the matrix, adjust the fringe rate percentage in order to compute the correct allowance for your agency/activity. All overtime should be reviewed and checked by the activity/agency submitting, the budget/fiscal representative and then by the sub recipient's office. This would help eliminate the myriad of questions related to overtime reimbursement by OHS. Overtime is not a guarantee; agencies requiring overtime must identify other funding sources to help offset overtime expenses, thus not relying totally on the HSGP funding.

BACKFILL

Backfill for responders participating in training and exercises is authorized per grant guidance yet backfill has not been a line item in the distribution of funds against the strategic plan. However, if there is a requirement for backfill, County/State Agency point of contact should submit a request to OHS for consideration. The primary reason for not supporting backfill has been related to limited funding.

ENVIRONMENTAL PLANNING AND HISTORIC PRESERVATION (EHP)

Agencies receiving HSGP funds must comply with the EHP in accordance with DHS Information Bulletin 271, dated December 5, 2007 and expanded in FEMA Policy, Grant Programs Directorate Environmental Planning and Historic Preservation Policy Guidance, 108-023-1, dated July 26, 2018. All projects,

regardless of the funding are subject to an EHP review prior to encumbering funds.

The initial DBW will be reviewed by our DHS/FEMA preparedness officer and will determine which items are categorical exempt (no EHP screening required) and items requiring a more comprehensive review (EHP screening required). OHS will notate the items “exempt” or “required” in the initial DBW and will notify sub recipients if a project requires an EHP screening.

The following items below will assist OHS obtain EHP approval for State/county project(s) requiring a comprehensive EHP review:

- ✓ **EHP Screening Form** provides step-by-step instructions. The Description of the project needs to include **who** it is for in the community, **what** the project is that the grant funds are used for (what’s being done or installed, precisely **where** it is located and **how** it will enhance the community.
- ✓ The statement of work needs to be precise and must provide nexus to terrorism.
- ✓ Photos are important to tell your story –
 - aerial photos of location or facility
 - photos of side views, street view, internal and/or external of building.
 - technical drawings or equipment specification sheet
- ✓ Historical building report/data on the building or historical buildings nearby
- ✓ FIRM and Wetlands Maps
- ✓ Forward the worksheet and all related documentation to OHS.
- ✓ OHS staff will assist in packaging those items requiring an EHP review and forward to FEMA/DHS for approval.
- ✓ Upon approval, email correspondence will be provided to OHS and the sub recipient. This documentation must be maintained by both the sub recipient and OHS.
- ✓ **If a project is designated for an EHP approval it must be approved prior to starting the project. Without an EHP approval there will be no reimbursement.**

Having to fulfill the EHP requirement is not a reason for extensions to the grant. Completing the EHP and obtaining the necessary approval can be a lengthy process, in some cases it could take up to six months. If changes are made to the initial project; these changes may be required to have an additional EHP review. **Do not assume because one item was approved, the new item is also approved.**

MAINTENANCE AND WARRANTY PROCEDURES

In past years, maintenance agreements and warranties were allowable costs, provided they were procured at the time of purchase, but could not exceed the period of performance of the original grant used to purchase the equipment.

To increase the useful life of the equipment, FEMA has determined that maintenance contracts and warranties may be purchased using grant funding from one fiscal year (FY) to cover equipment purchased with funding from a different fiscal year. The use of grant funding for the purchase of maintenance contracts and warranties must meet the following conditions:

- Maintenance contracts and warranties may only be purchased for equipment that has been purchased using FEMA preparedness grant funding Homeland Security Grant Program (HSGP), Tribal Homeland Security Grant Program (THSGP), Emergency Management Performance Grant Program (EMPG), Interoperable Emergency Communications Grant Program (IECGP), Buffer Zone Protection Program (BZPP), Operation Stonegarden

(OPSG), Driver's License Security Grant Program (DLSGP), Transit Security Grant Program (TSGP), Port Security Grant Program (PSGP), and Intercity Passenger Rail (Amtrak).

- To avoid supplementing Congressional appropriations for specific programs, maintenance contracts and warranties must be purchased using funds from the same grant program used to purchase the original equipment (i.e., if equipment was purchased with HSGP grant funds, the maintenance contract or warranty must be purchased using HSGP grant funds).
- The term of the maintenance contract or warranty shall not exceed the period of performance of the grant to which the contract is being charged.
- Equipment provided to States and local jurisdictions by the Commercial Equipment Direct Assistance Program (CEDAP) is also eligible for support through maintenance contracts and warranties since CEDAP is a one-time equipment grant program and not a recurring grant. Funding from SHSP or UASI only should be used for this purpose unless otherwise approved by the FEMA Program Analyst.
- Equipment and support provided directly to States and local jurisdictions by any DHS component is also eligible for support through maintenance contracts or warranties once funding for those programs has ended. This includes the Domestic Nuclear Detection Office's (DNDO) limited duration programs such as the Southeast Transportation Pilot (SETCP), West Coast Maritime Pilot (WCMP), and Securing the Cities (STC). Funding from SHSP or UASI only should be used for this purpose unless otherwise approved by the FEMA Program Analyst.

This IB will amend the Maintenance section within IB 293. Maintenance contracts will be an allowable cost using Port Security Grant Program funding as described above. All other portions of IB 293 will remain in effect.

MAINTENANCE AND SUSTAINMENT

The use of DHS/FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable, as described in FEMA Policy FP-205- 402- 125- 1 under all active and future grant awards unless otherwise noted.

Except for maintenance plans purchased incidental to the original purchase of equipment, the period covered by maintenance or warranty plan must not exceed the period of performance of the specific grant funds used to purchase the plan or warranty. As an example of maintenance plan purchased incidental to the original purchase, you may submit a grant application to purchase a new piece of equipment and as part of the purchase include the cost of a five-year warranty. Even though the warranty exceeds the period of performance, the warranty will be considered an eligible cost. Grant funds are intended to support the Preparedness Goal by funding projects that build and sustain the core capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the Nation and Hawaii.

In order to provide sub recipients, the ability to meet this objective, the policy set forth in Information Bulletin (IB) 379 (Guidance to State Administrative Agencies to Expedite the Expenditure of Certain DHS/FEMA Grant Funding) allows for the expansion of eligible maintenance and sustainment costs. This

includes:

- Direct support of existing capabilities.
- Must be an otherwise allowable expenditure under the applicable grant program.
- Be tied to one of the core capabilities in the five mission areas (prevent, protect, mitigate, response and recover) and
- Sharable through the Emergency Management Assistance Compact.

Additionally, eligible costs must also be in support of equipment, training, and critical resources that have previously been purchased with either federal grant or any other source of funding other than DHS/FEMA preparedness grant program dollars.

Routine upkeep (e.g., gasoline, tire replacement, routine oil changes, monthly inspections, grounds, and facility maintenance, etc.) is not considered a maintenance cost, and as such it is the responsibility of the sub recipient and may not be funded with preparedness grant funding.

Maintenance and Sustainment related costs, such as maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable as described in FP 205-402-125- 1, Maintenance Contracts and Warranty Coverage Funded by Preparedness Grants Policy <http://www.fema.gov/media-library/assets/documents/32474>.

REPAIR AND REPLACEMENT COSTS

The cost of repair and replacement parts for equipment purchased using FEMA preparedness grant funding (HSGP, THSGP, EMPG, IECGP, BZPP, OPSG, DLSGP, TSGP, PSGP, and Amtrak) is now an allowable expense.

- Repair and replacement parts may only be purchased for equipment that has been purchased using FEMA preparedness grant funding from those programs listed above.
- To avoid supplementing Congressional appropriations for specific programs, repair and replacement parts must be purchased using the same grant program used to purchase the original equipment (i.e., if original equipment was purchased with HSGP grant funds, the repair and or replacement parts must be purchased using HSGP grant funds).
- Repair and replacement parts for equipment provided to States and local jurisdictions by CEDAP are also eligible for support since CEDAP is a one-time equipment grant program and not a recurring grant. Funding from HSGP or UASI only should be used for this purpose unless otherwise approved by the FEMA Program Analyst.
- Repair and replacement parts for equipment provided directly to States and local jurisdictions by any DHS component are also eligible for support once funding for those programs have ended. This includes the DNDO's limited duration programs such as the SETCP, WCMP, and STC. Funding from HSGP or UASI should only be used for this purpose unless otherwise approved by the FEMA Program Analyst.
- Upgrades: FEMA preparedness grant funding (HSGP, THSGP, EMPG, IECGP, BZPP, OPSG, DLSGP, TSGP, PSGP, and Amtrak) may be used to upgrade previously purchased allowable equipment. For example, if the sub recipient purchased risk management software with HSGP funds in FY 2005 and would like to use grant funding to upgrade the software, this is considered allowable.

- Upgrades may only be purchased for equipment that has been purchased using FEMA preparedness grant funding from programs listed above.
- Upgrades for equipment provided directly to States and local jurisdictions by any DHS component is also eligible for support once funding for those programs have ended. This includes the DNDO's limited duration programs.

Funding from HSGP or UASI only should be used for this purpose unless otherwise approved by the DHS/FEMA Program Analyst.

Refer to **Maintenance Contracts and Warranties Tracking Log**. The tracking log requests information related to the initial purchase equipment, the grant program and the cost associated with the maintenance contract/warranty for the renewal basic information being requested. In addition, the new maintenance contract/warranty must be on file with grant documents. It should also be understood that the maintenance and sustainment of equipment, planning, training, and exercises is the responsibility of the recipient.

TRAVEL

All travel must be pre-approved and follow state/county travel procedures prior to travel arrangements, (i.e., airfare, hotel, rental car, registration, per diem, parking etc.). **International travel is not an allowable cost under the Homeland Security Grant Program unless approved in advance by DHS/FEMA.** Reimbursement will not be issued if travel arrangements are made prior to approval date. Reimbursement for travel will be calculated in accordance with the state/county travel policy. Sub recipients must provide an approved travel authorization form. Documentation for travel must include:

- ✓ *Unit cost for each traveler (departure and return times; destinations; airfare; lodging; meals, ground transportation to program activities and other allowable expenses).*
- ✓ *Purpose of travel as it relates to program activities.*
- ✓ *Copy of the boarding passes, agenda, and registration forms.*
- ✓ *Trip report identifying highlights of the meeting/conference and how it benefits the county/state agency.*
- ✓ *If cost is for a group training or exercise, a roster of attendees is required.*
- ✓ *Meals will be reimbursed based on departure and return times; receipts for meals are not required unless requested by OHS prior to specific travel.*
- ✓ *Unallowable: 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. For more information on State travel procedures go to: <http://spo.hawaii.gov/for-state-county-personnel/manual/travel-procedures/>*

Reimbursement for privately owned vehicle mileage is discouraged. If requested, mileage will be calculated by distance traveled. Documentation is required to be submitted for mileage. Refer to the **Reimbursement Transmittal Sheet**.

Per Information Bulletin 426, Guidance to Recipients and Sub recipients of FEMA Preparedness Grants Regarding Implementation of Executive Order 13809 Restoring State, Tribal and Local Law Enforcement's Access to Life-Saving Equipment and Resources, the Controlled Equipment List identified categories of equipment are now allowable provided they are not prohibited with the NOFO.

In accordance with the IB 426, items on the Prohibited Equipment Controlled Equipment listing have been lifted except for tracked armored vehicles (AEL #12VE-00-MISS - Vehicle, Specialized Mission) and urban camouflage uniform items (AEL #01LE-02-BDUS - Specialized Clothing, NFPA 1975 or NFPA 2112) remain unallowable under any FEMA preparedness grant. **Items desired which were previously unallowable should be discussed with OHS to ensure no change in allowable/unallowable has changed.**

The NOFO for each grant year provides guidance on allowable and unallowable expenses. We recommend the grant guidance documents be posted with grant documents for easy reference. **In addition to those items in the Prohibited Equipment List**, below are **common unallowable** expenses across the preparedness grant programs:

- *Construction and renovation without approval*
- *Indirect costs*
- *Supplanting*
- *Maintenance and/or wear and tear costs of general use vehicles and emergency response apparatus*
- *Equipment purchased for an exercise cannot be used for permanent installation and/or beyond the scope of an exercise*
- *Hiring of sworn public safety officers to fill traditional public safety duties or to supplant traditional public safety positions and responsibilities*
- *Weapons and ammunition*
- *Entertainment and sporting events*
- *Personal items such as personal hygiene items, magazines, in-room movies, personal travel*
- *Travel insurance, visa, and passport charges*
- *Lodging costs in excess of federal per diem, as appropriate*
- *Alcohol or bar charges, laundry charges, VISA or passport charges, tips, phone calls, personal hygiene items, in-room movies, magazines, personal transportation, travel insurance, credit card fees, lodging costs associated with violation of the lodging facility's policies, lodging in excess of federal or state per diem as applicable.*

REQUEST FOR REIMBURSEMENTS

Request for reimbursements, County/State Agency will provide documentation, to include a copy of the contract or purchase order documents that identifies equipment or services requested with a **Transmittal Reimbursement Form** to OHS within **15** days of the expenditure. The original Reimbursement Request is to be sent to OHS via regular mail:

- ✓ *OHS **Transmittal Reimbursement Checklist** indicating attached documentation*
- ✓ *Vendor invoices must have a signature verifying the receipt of the goods or services*
- ✓ *Indicate the grant funding year and category*
- ✓ *Only one grant year is allowed for each transmittal reimbursement request*
- ✓ *Travel reimbursement requests must include travel authorization form, meals and lodging claimed, and mileage or fuel costs to and from the training event*
- ✓ *Vendor invoices*
- ✓ *Participants listing for all trainings and exercises if applicable*

- ✓ *An agenda or outline of the curriculum for all trainings, conferences, and exercises if applicable*
- ✓ *Contracts, purchase orders, credit card documents must be submitted with reimbursement request*
- ✓ *Overtime-approval documentation, overtime reimbursement worksheet, time sheets, payroll registers*
- ✓ *Hawaii Compliance Express (HCE) Certificate verification for purchases exceeding \$2,500.00 within a year. Vendors/contractors/service providers should register with the HCE prior to submitting an offer. For more information go to <https://vendors.ehawaii.gov>. Failure to obtain proof of compliance is procurement violation and personnel who made the award may be subject to an administrative fine.*
- ✓ *Exclusion from Excluded Parties List (SAM <https://sam.gov/content/home>) non-exclusion can be printed out. (Check if the county/state exclusion exists for vendor check; this should be noted in the checklist).*

A **Transmittal Reimbursement Checklist** is included in the **Appendix A (Grants Management Tools - Forms)** to assist in ensuring all documentation required is included in each reimbursement request. The **Transmittal Reimbursement Checklist** along with the supporting documents are requested to be emailed to gmo@hawaii.gov. During this initial reimbursement submission verification process, OHS will verify if the necessary documents are included with the reimbursement package. If there are problems with the reimbursement package, OHS will notify the sub recipient to obtain the necessary documentation. Once the reimbursement package is verified and complete, OHS staff will notify the sub recipient to mail only the original “signed” reimbursement transmittal request. The supporting documentation does not need to be submitted since OHS already has an electronic copy of the supporting documentations.

FUND OBLIGATION

A fund obligation request is used to reduce the payment reimbursement process, by encumbering a specified dollar amount with a State purchase order prior to the actual reimbursement requests. Fund obligations are used for large purchases (for example, contracts, etc.) from the same vendor that includes multiple items with different receipt dates or contracts with several partial payment schedules. To initiate a fund obligation request, the sub recipient must complete a **Request to encumber obligated funds form along with supporting documentations, i.e., executed contracts**. Once the fund obligation State purchase order is approved, OHS will forward this purchase order number to the sub recipient. Invoices under the fund obligation must reference the State purchase order number as they are submitted to OHS for reimbursement.

Important considerations: The invoices for the fund obligation request shall not exceed the encumbered amount. Excess amount will be the responsibility of the sub recipient. A **Fund Obligation Reimbursement Form** will be submitted with supporting documentations referencing the State purchase order number to prevent over obligation. A fund obligation will still require the sub recipient to pay the vendor prior to submitting the reimbursement request to OHS under the fund obligation. **Note:** All requests need to be signed in **BLUE INK**.

Typically, reimbursements should be available within 30 days, however, there are times when the reimbursement may take longer. State agencies are required to submit a **Bill for Collection Form** along with supporting documentations for reimbursement requests.

ADVANCEMENTS

Advancements is discouraged under the HSGP. Sub recipients who are interested in pursuing advancement should contact OHS Administrator for consideration. Advancement is provided for the funds to be immediately available to pay the vendors – **these funds are not to be used to pay the vendor in advance of receipt of goods or services.** Funds will be advanced for periods of 30 days.

Request for advancement, reimbursement, or fund obligation should be made to:

Hawaii Department of Defense
Office of Homeland Security, Room 130
3949 Diamond Head Road
Honolulu, Hawaii 96816

This list below provides a quick reference. Appendix A, the Electronic Code of Federal Regulations (*e-CFR*), provides a table of contents quick guide for the Uniform Administrative Requirements.

Quick Reference			
Conflict of Interest	2 CFR § 200.112	Compensation – Personal	2 CFR § 200.430
Mandatory Disclosure	2 CFR § 200.113	Compensation – Fringe Benefits	2 CFR § 200.431
Grant Agreements	2 CFR § 200.201	Conferences	2 CFR § 200.432
Materials and Supplies	2 CFR § 200.453	Cost Sharing or Match	2 CFR § 200.306
Methods of Procurement to be followed	2 CFR § 200.320	Equipment	2 CFR § 200.313
Notice of Funding Opportunities	2 CFR § 200.204	Competition	2 CFR § 200.319
Pass Through Requirements	2 CFR § 200.332	Internal Controls	2 CFR § 200.303
Performance Measurement	2 CFR § 200.301	Insurance on Grant Equipment	2 CFR § 200.310
Termination of an Award	2 CFR § 200.340		

PROCUREMENT AND CONTRACTS

Procurement

Procurements shall comply with sub recipients' procurement policies and procedures, conform to applicable State and Federal law and the standards identified in the Procurement Standards Sections 2 CFR 200.317 - 327.

Under 2 C.F.R. § 200.317, when procuring property and services under a federal award, states (including territories) must follow the same policies and procedures they use for procurements from their non-federal funds; additionally, states must now follow 2 C.F.R. § 200.321 regarding socioeconomic steps, § 200.322 regarding domestic preferences for procurements, § 200.323 regarding procurement of recovered materials, and § 200.327 regarding required contract provisions.

All other non-federal entities, such as tribes (collectively, non-state entities), must have and use their own documented procurement procedures that reflect applicable SLTT laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in 2 C.F.R. Part 200. These standards include, but are not limited to, providing for full and open competition consistent with the standards of 2 C.F.R. § 200.319 and § 200.320.

Under the Domestic Preferences for Procurement (2 C.F.R. § 200.322) as appropriate and to the greatest extent consistent with law, state and non-state entities should, to the greatest extent practicable under its FEMA award, provide a preference for the purchase of goods, products or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. 2 C.F.R. § 200.322 also provides specific definitions for “Produced in the United States” and “manufactured products” that states should review.

General Procurement Rules 2 CFR 200 § 318 and 319:

- ✓ Must have written Procurement Procedures and must be on file at OHS.
- ✓ Must maintain records sufficient to detail the history of procurement.
- ✓ General prohibitions for all procurements: No unduly restrictive criteria in statement of work.
- ✓ Avoid/mitigate organizational conflicts of interest.
- ✓ No unreasonable qualification, including unnecessary experience.
- ✓ No brand name, without or equal and salient characteristics.

<i>Procurement Standards 2 CFR 200.317-327</i>	
<i>Procurement by states</i>	200.317
<i>General procurement standards</i>	200.318
<i>Competition</i>	200.319
<i>Methods of procurement to be followed</i>	200.320
<i>Contracting with small and minority business, women’s business enterprises, and labor surplus area firm</i>	200.321
<i>Domestic preferences for procurements</i>	200.322
<i>Procurement of recovered materials</i>	200.323
<i>Contract cost and price</i>	200.324
<i>Federal awarding agency or pass-through entity review</i>	200.325
<i>Bonding requirements</i>	200.326
<i>Contract provisions</i>	200.327

A ***Procurement Planning Form*** is required to be completed to ALL procurement \$3,500.00 and above. The Procurement Planning Sheet can be used to identify cost/price assessment and reasonableness. Once completed, the form will be submitted to OHS with a copy of the contract and reimbursement.

Located in the appendix (Grant Management Tools – Form) is a comparison matrix (***Sole Source/Contract Review Cost Price Analysis Matrix***) and is provided to support a cost-price analysis for contracts and sole source contracts. If not completed by the Purchasing Department, this form should be included in contracts for review by OHS.

Contracts

Any contract shall comply with local, state, and federal government contracting regulations. Contracts for professional and consultant services must include local, state, and federal government required contract language and a project budget. Contract deliverables must meet the grant application requirements. Justification is required for compensation for individual consultant services and must be reasonable and consistent with the amount paid for similar services in the marketplace. Sub recipients must include time and effort reports and detailed invoices for consultants when submitting a request for reimbursement. All contracts issued must be included with the request for reimbursement. All sole source and single vendor contracts must be approved by OHS prior to encumbrance. Sole source and single vendor contract require a (***Sole Source/Contract Review Cost Price Analysis Matrix***).

Sole Source requires OHS approval PRIOR to execution

This analysis must accompany the sole source request for approval. All sole source procurements or

single vendor purchases response to a competitive bid, contracts, and amendments over \$100,000.00 require review/pre-approval from OHS prior to implementation. All signed copies must be submitted back to DOD, OHS for reimbursement.

For procurement and contracts with HSGP funds must contain contract provisions as outlined in 2 CFR 200.317–327 and Appendix II, Contract Provisions for Non-Federal Entity Contracts under Federal Award. The rules contained in the CFR are to require competition, integrity, and transparency. In addition, so purchases require prior approval (2 CFR 200.439), must adhere to cost principles as being necessary and reasonable, 2 CFR 200.403a, be documented, 2 CFR 200.403g, and non-compliance enforcement as identified in 2 CFR 200.338. (additional reference: Hawaii State Procurement Basic Pricing Training by State Procurement Office)

The below provisions are required to be incorporated when using federal grant funds for contracts.

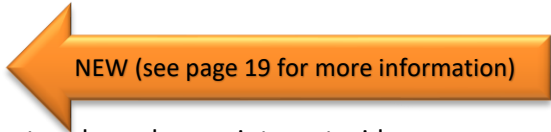
Note: Certain assurances may not be applicable to some projects and may be omitted accordingly.

- ✓ *Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms and provide for such sanctions and penalties as may be appropriate (Contracts more than the simplified acquisition threshold).*
- ✓ *Termination for cause and for convenience by the sub recipient including how it shall be affected and the basis for settlement. (All contracts in excess of \$10,000.00)*
- ✓ *Compliance with Executive Order 11246 of September 24, 1965, entitled “Equal Employment Opportunity,” as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR Chapter 60). (All construction contracts awarded in excess of \$10,000.00 their contractors or sub recipients).*
- ✓ *Compliance with the Copeland “Anti-Kickback” Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3) (All contracts and sub grants for construction or repair).*
- ✓ *Compliance with the Davis-Bacon Act (40 U.S.C. 276a to 276a–7) as supplemented by Department of Labor regulations (29 CFR part 5) (Construction contracts in excess of \$2,000.00 awarded by grantees and sub recipient when required by Federal grant program legislation).*
- ✓ *Compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327–330) as supplemented by Department of Labor regulations (29 CFR Part 5) (Construction contracts awarded by grantees and sub recipients in excess of \$2,000.00 and in excess of \$2,500.00 for other contracts which involve the employment of mechanics or laborers).*
- ✓ *Notice of awarding agency requirements and regulations pertaining to reporting.*
- ✓ *Notice of awarding agency requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed during or under such contract.*
- ✓ *Awarding agency requirements and regulations pertaining to copyrights and rights in data.*
- ✓ *Access by the grantee, the sub recipients, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents,*

papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.

- ✓ *Retention of all required records for three years after grantee/sub recipient make final payments and all other pending matters are closed.*
- ✓ *Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (Contracts, subcontracts, and sub grants of amounts in excess of \$100,000).*
- ✓ *Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871).*

2 CFR § 200.471 - Prohibited Telecommunications Equipment



Telecommunications and video surveillance services or equipment such as phones, internet, video surveillance, cloud servers

CANNOT: Procure or obtain Extend or renew a contract to procure or obtain Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems from any of the companies, subsidiaries, or affiliates:

- Huawei Technologies Company
- ZTE Corporation
- Hytera Communications Corporation
- Hangzhou Hikvision
- Digital Technology Company
- Dahua Technology Company

<i>State of Hawaii Small Purchase Thresholds and Number of Quotes</i>		
<i>Type of Procurement</i>	<i>Amount</i>	<i>Documentation Required</i>
Good and Services or Construction	Under \$5,000.00	Adequate and reasonable competition
Goods and Services or Construction	\$5,000.00 to less than \$15,000.00	Obtain a minimum of (3) quotes (i.e., phone, fax, email, etc.)
Goods and Services	\$15,000.00 to less than \$100,000.00	HlePro (in accordance with small purchase procedures, provided that such small purchase procurements through an electronic system shall be required)
Construction	\$15,000.00 to less than \$250,000.00	HlePro (in accordance with small purchase procedures, provided that such small purchase procurements through an electronic system shall be required)
Goods and Services / Professional Services	\$100,000 – above	Processed as formal contact
Construction Projects	\$250,000 – above	Processed as formal contract
Sole Source	Any amount	Require Office of Homeland Security pre-approval prior to committing to any procurement
All Professional Services procurement quotes must be obtained in writing		

- **Under \$5,000** - Adequate and reasonable competition; award to offer with the lowest responsive, responsible quote; use of SPO-010, *Record of Procurement* and form SPO-010A, *Request for Written Quotations* is optional; obtain Hawaii Compliance Express (HCE) certificate to verify compliance prior to award for purchases \$2,500.00 and greater; and awards for purchases \$2,500 and greater posted on Procurement Awards, Notices, and Solicitations (PANS).
- **\$5,000 to \$15,000** - Obtain minimum three (3) quotes; use SPO-010A, *Request for Written Quotation* is optional; award to offer or with the lowest responsive, responsible quote; document procurement on form SPO-010, *Record of Procurement*; obtain HCE certificate to verify compliance prior to award; and award posted on PANS.
- **\$15,000 to \$250,000** - Procurement conducted on State of Hawaii Electronic Procurement System (HlePro); performance and payment bonds required for Construction contracts over \$50,000.00; award to offer or with the lowest responsive, responsible quote; print out the HlePro Award Summary Report as documentation of procurement; obtain HCE certificate to verify compliance prior to award; and award posted on Post Award Notice (PAN).

Regardless of the type of contracting required, sub recipients must perform a cost or price analysis in connection with procurement action including contract modifications.

Price and Cost Analysis involves a comparison of the bottom-line price quoted by the offer or with prices paid on other contracts for the same or similar materials or services; a review publication for comparability; a comparison of prices quoted by other respondents to the solicitation (does not apply to sole source contracts); and any other comparison available. The purpose of the price analysis is to determine that the price quoted is within range of acceptability to the grantee/sub recipient. A cost analysis involves an analysis of the individual elements of the cost (as requested by the solicitation) as stated in the contractor's cost proposal.

Examples of individual elements of costs include direct labor, fringe benefits, overhead (indirect costs), materials, travel, subcontracts, etc. Some questions that should be considered are listed below:

Price and Cost Analysis Checklist

No.	Questions	Yes	No	Comments
1	Is the total price determined to be fair and reasonable? Does it compare favorably with the sum/total of the individual elements of cost that have been analyzed?			
2	Was the overhead (indirect cost) rate used in the contractor's proposal determined by review? Identify the indirect rate and is it current?			
3	Was a spreadsheet used to show graphically a comparison of the elements of cost? Highly recommended to include.			

4	Were individual results from the cost analysis used to determine negotiation cost targets? Justification is required for any element of cost questioned by the grantee.			
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A copy of this table should be submitted with reimbursement request for each contract. **Cost and Price Analysis Worksheet** is provided for use in validating single source procurements. County and or agency may utilize similar documentation to evaluate a single source that may be submitted in lieu of the Cost and Price Analysis Worksheet.

The Homeland Security grants are not construction grants. All construction must be approved by FEMA/DHS. Construction projects are limited to \$1,000,000 or 15% of the grant award. OHS will work with the sub recipient in developing the scope for the construction to receive the written approval by DHS/FEMA prior to the use of any HSGP funds for construction or renovation. The Environmental Historical Preservation request must also be approved prior to obligating funds.

Procurement transactions will be conducted to provide maximum open and free competition. Should sub recipient elect to award procurement or contract without competition, sole source justification will be required. Justification must be provided for all non-competitive procurement. Details related to State Procurement are available <http://www.spo.hawaii.gov> for procurement policies related to Chapter 103D Hawaii Revised Statutes.

Any contract entered shall comply with local, state, and Federal government contracting regulations. Contracts for professional and consultant services must include local, state, and Federal government required contract language, and a project budget. Contract deliverables must meet the intent of the grant application and grant requirements. Justification is required for compensation for individual consultant services, which must be reasonable and consistent with the amount paid for similar services in the marketplace. Detailed invoices and time and effort reports are required for consultants. Sub recipients should identify a summary of contracting with Quarterly Financial Workbook. A copy of ALL contracts must be submitted with the initial reimbursement request based on the payment schedule identified in the contract. Budget Execution Policies and Instructions are provided via Executive Memorandum to provide implementation of program for the State Fiscal Year. The Executive Memorandums are posted on-line for reference. Use of sole source contracting is discouraged. Procurement by noncompetitive proposals is procurement through the solicitation from only one source, or after solicitation from several sources, competition is determined inadequate (2 CFR 200.320). All sole source purchases over \$100,000.00 require prior review from DOD, OHS. For approval, the entire file should be emailed to OHS for review. Supporting documentation must accompany the review. With the sole source packet, a cost analysis must be included and become part of the file justifying the use of sole source.

This review does not circumvent the review/approval of County/State Procurement.

Justification for Non-Competitive Procurement

<i>Paragraph</i>	<i>Content</i>
1.	A brief description of the program/project and the product or service being contracted.

2.	Explanation of why it is necessary to contract non- competitively, to include the following: <ul style="list-style-type: none"> ▪ Expertise of the contractor ▪ Management ▪ Knowledge of the program ▪ Responsiveness ▪ Expertise or experience of staff ▪ Results of market survey determining competition availability (an analysis must accompany request)
3.	Time constraints <ul style="list-style-type: none"> ▪ When contractual coverage is required, and why ▪ Impact on program if dates are not met (include the grant and financial impact in dollars) ▪ How long would it take for another contractor to reach the same level of competence (equate in dollars and time)
4.	Uniqueness
5.	Any other points that should be covered to “sell the case.”
6.	Declaration that this action is in the “best interest” of the grantee agency.

Equipment	2 CFR § 200.313
Supplies	2 CFR § 200.314
Contract cost and price	2 CFR § 200.324
Composition of cost	2 CFR § 200.402
Contract prior approval	2 CFR § 200.407
Indirect Cost	2 CFR § 200.414
Contracts under the federal award must include a contract appendix the guidance, policy, statutes for the contract	

**Quick Reference
Related to
Procurement in
addition to the
General
Procurement**

PROPERTY ACCOUNTABILITY

Property and Equipment Records

Federal guidelines and regulations require sub recipients to be prudent in the acquisition and management of property acquired with federal funds. Sub recipients must assure an effective system for property management exists. The CFR **§200.313** requires a state must use, manage, and dispose of equipment acquired under a Federal award by the state in accordance with state laws and procedures.

Equipment must be used by the non-Federal entity 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. When no longer needed for the original program or project, the equipment may be used in other activities supported by the Federal awarding agency, in the following order of priority:

- Activities under a Federal award from the Federal awarding agency which funded the original program or project, and then
- Activities under Federal awards from other Federal awarding agencies which includes consolidated equipment for information technology systems.

During the time that equipment is used on the project or program for which it was acquired, the non-Federal entity must also make equipment available for use on other projects or programs currently or

previously supported by the Federal Government, provided that such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use must be given to other programs or projects supported by Federal awarding agency that financed the equipment and second preference must be given to programs or projects under Federal awards from other Federal awarding agencies. Use for non-federally funded programs or projects is also permissible. User fees should be considered if appropriate.

Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a Federal award, until disposition takes place, will as a minimum, meet the following requirements:

- *Property records must be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property (including the FAIN), who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.*
- *A physical inventory of the property must be completed, and the results reconciled with the property records at least once every two years.*
- *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.*
- *Adequate maintenance procedures must be developed to keep the property in good condition.*
- *If the non-federal entity is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.*

Each agency receiving HSGP funds shall maintain a current fixed asset record of equipment based on **local jurisdiction policies and procedures (a copy of the procedures is required to be on file with OHS)**. If no policy exists all equipment having an original value of \$250.00 or more and the life of the equipment of greater than one year are to be recorded on inventory. In accordance with state and county policies, expendable property should be accounted for using the statewide inventory control system or an appropriate internal method of accounting for expendable property. Inventory items purchased with Federal grant funds are subject to compliance with applicable provisions governing the U.S. Department of Homeland Security's access to records, accounts, documents, information, facilities, and staff.

Each sub recipient receiving HSGP funding is responsible and accountable for the custody and safekeeping of all property assigned to purchased or otherwise acquired by the agency.

- a. *All property valued at \$250.00, or county threshold, and above shall be recorded as a line item and assigned a state/county property identification tag.*
- b. *OHS will maintain current records of acquired or disposed equipment. This record shall include state/county property identification tag number, equipment type, make, model number, serial number, location, employee assignment, date of acquisition and cost. Cost includes freight, installation, auxiliary charges, less any discount taken shall be used if purchase price is known. Appraised value, indexed back to acquisition date, shall be used if the purchase price is unknown. The grant that paid for the property shall also be listed.*
- c. *Property that has reached the end of its useful life will be designated as surplus property and noted as such on the inventory record with the date of disposal and value at disposal.*

Items determined to be surplus by the sub recipient must be identified to OHS. Some items may require DHS' approval for disposal.

- d. *Annually, September 30th each year, each sub recipient is required to submit listing of inventory purchased during the year. An inventory sheet is available in Grant Management Tools as well at SF 428, Tangible Property. A complete inventory is required to be submitted to OHS for closeout. In addition, sub recipients are required to submit listing of inventory for all open grant programs on September 30th. OHS will provide a listing of equipment for review and signature.*
- e. *All equipment purchased using Federal grant funds shall be identified with a tag affixed to the property which states, "Purchased with funds provided by the U.S. Department of Homeland Security" as displayed on the next page.*
- f. *Sub recipients are recommended to maintain inventories by grant year; the state/county inventory record may be maintained by other parameters such as location codes and may not include specific information as identified below.*
- g. *For disposition/transfer, see below under disposition of equipment.*

**Reconfirm
inventory
requirements**

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, except as otherwise provided in Federal statutes, regulations, or Federal awarding agency disposition instructions, the non-Federal entity must request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment will be made as follows, in accordance with Federal awarding agency disposition instructions:

- *Items of equipment with a current per unit fair market value of \$5,000.00 or less may be retained, sold, or otherwise disposed of with no further obligation to the Federal awarding agency (provided there is no issue with grant program which purchased the subject equipment).*

Equipment Inventory System

Sub recipients are required to maintain accurate property and equipment records. These property and equipment records shall include:

- ✓ *Sub recipients*
- ✓ *Grant name and number*
- ✓ *Description of the property (including make, model serial numbers or other identification number)*
- ✓ *Vendor (source of the property)*
- ✓ *Acquisition date*
- ✓ *Value of the property*
- ✓ *If applicable include federally percentage in the cost of the property*
- ✓ *Equipment location*
- ✓ *Condition of the equipment as of the date the information is reported*
- ✓ *Disposition information including the date of disposal, sale, or transfer*
- ✓ *Maintenance schedule*

Physical Inventory

Federal policy requires equipment purchased with federal funds to be inventoried every **two years**. Equipment must be tracked beyond the performance period of the reimbursement agreement, continuing until the end of the equipment life cycle. For these reasons, Homeland Security acquired equipment should be annotated on state/county inventory systems and therefore inventoried on an annual basis as any other equipment purchased. The annual inventory should be forwarded to OHS for compliance. Each sub recipient will be required to sign inventory for all equipment purchased during the grant performance during closeout. The inventory required every two years for equipment with a value of \$5,000.00 will be completed and submitted with the December 31st report period (submitted in January reports). Reports will be provided to each sub recipient for verification, validation, and signature.

Equipment Marking

Sub recipients will mark equipment purchased with county/state decals in accordance with jurisdiction inventory policies and procedures. Equipment purchased using Homeland Security Grant funds will be marked with special decal provided by OHS. OHS would encourage all equipment have an equipment decal based on county policy. Regardless, OHS would request all equipment be marked, “with purchased by Homeland Security.”

Several of these items may be part of a kit; kits valued over \$250.00 MUST be identified on inventory. This includes cache kits and kits designed for deployment and training.

- ✓ *All Vehicles (inside on dash)*
- ✓ *Trailers (with state/county decal)*
- ✓ *Generators (on data plate without covering generator data)*
- ✓ *Other equipment that can feasibly be marked*
- ✓ *Antennas/Towers (need to ensure on inventory)*

Equipment that does not require marking includes but does require accountability and reporting:

- ✓ *Personal protection equipment*
- ✓ *Hand tools*
- ✓ *Disposable equipment*

In addition to the county/state decals, listed below are samples of the Homeland Security decals used to identify equipment that were purchased with Homeland Security funds. OHS provides decals to the sub recipients.



IMPLEMENT SAFEGUARDS TO PREVENT LOSS, DAMAGE OR THEFT OF EQUIPMENT

Equipment must be safeguarded to ensure prevention of loss, damage, or theft of the property. Control systems used to safeguard equipment must be included in the sub recipient property procedures or submitted under separate cover to OHS. Sub recipients are responsible for replacing or repairing the property, which is willfully or negligently lost, stolen, damaged or destroyed. Any loss, damage or theft of the property must be investigated and fully documented, made part of the official grant record

and submitted to OHS.

IMPLEMENT EQUIPMENT MAINTENANCE PROCEDURES

The end user of equipment must implement maintenance procedures to keep the property in good condition. Evidence of maintenance procedures will be reviewed as part of the monitoring process. Equipment such as generators, vehicles, trailers, or decontamination kits should be maintained. A preventive maintenance schedule should be established for equipment that is not utilized on a day-to-day basis such as trailers and generators. Sub recipients must maintain mileage logs for vehicles and upon request provide verification of allowable vehicle use.

Disposition of Equipment

Sub recipients must comply with federal and state equipment disposition policies. A sub recipient shall dispose of equipment when the equipment acquired is no longer needed for the original project or program. The sub recipient will complete a Transfer/Disposition Form and forward to OHS (sub recipients will use county procedures unless following state procedures).

2CFR §200.313 (e) (1) “Items of equipment with a current per-unit fair market value of less than \$5,000.00 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.”

The Equipment/Transfer Form should contain the following information:

- *Description of the property*
- *Serial number or other identification number*
- *Grant under which equipment was purchased*
- *Current per-unit fair market value*
- *Date of disposition*
- *Reason of disposition of equipment*

**Quick Reference
Equipment
Reference 2 CFR
§ 200.313**

Items of Equipment with a Current Per Unit Fair Market Value in Excess of \$5,000.00

2CFR §200.313 (e) (2) “Items of equipment with a current per unit fair market value in excess of \$5,000.00 may be retained or sold and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.”

The Equipment/Transfer Form should contain the following information:

- *Description of the property*
- *Serial number or other identification number*
- *Grant under which equipment was purchased*
- *Current per-unit fair market value*
- *Proposed method of disposition*

A sub recipient must inform OHS within 30 days when transferring or disposing of equipment. Sub recipients must submit all such changes on the Equipment Transfer/Disposal Form. Retain a copy of the form in the applicable federal grant file and in the agency’s capital asset inventory. Refer to **Property and Equipment Inventory Log** for recording equipment purchased under HSGP funds.

COST MATCH REGISTER

The cost match requirement applies to PSGP and Emergency Management Performance Grant Programs. Determining match for the purposes of submitting grant applications to any Federal Agency should be a coordinated process at the State and local level. It is highly recommended that programmatic staff at the State and local level consult with the pass-through entity prior to submitting any grant applications especially those that identify cash or in-kind match.

Definitions

Matching or Cost Sharing means the value of the third-party in-kind contributions and the portion of the costs of a federally assisted project or program not borne by the Federal Government. All cost-sharing or matching funds claimed against a FEMA grant by State, local or Tribal governments must meet the requirements of the program guidance and/or program regulations 2 CFR § 225.

Cash Match (hard) includes cash spent for project-related costs under a grant agreement. **Allowable cash match** must include only those costs which are allowable with Federal funds in compliance with the program guidance and/or program regulations 2 CFR § 225.

In-kind Match (soft) means contributions of the reasonable value of property or services in lieu of cash which benefit a federally assisted project or program. This type of match may only be used if not restricted or prohibited by program statute, regulation or guidance and must be supported with source documentation. Only property or services that follow program guidance and/or program regulations 2 CFR § 306 are allowable.

Types of Match

1. **Cash Match (hard)** includes non-federal cash spent for project-related costs, according to the program guidance. Allowable cash match must only include those costs which follow 2 CFR §200.225, Cost Principles for State, Local, and Indian Tribal Governments.
2. **In-kind Match (soft)** includes, but is not limited to, the valuation of in-kind services. “In kind” is the value of something received or provided that does not have a cost associated with it. For example, if in-kind match (other than cash payments) is permitted, then the value of donated services could be used to comply with the match requirement. Also, third party in-kind contributions may count toward satisfying match requirements provided the grantee receiving the contributions expends them as allowable costs in compliance with 2 CFR §200.306, Cost Sharing or Matching.

Basic Guidelines

1. Factors Affecting Allow Ability of Cost

To be allowable under Federal awards, costs must meet the following general criteria:

- a. *Be necessary and reasonable for proper and efficient performance and administration of Federal awards.*
- b. *Be allocable to Federal awards under the provisions of 2 CFR § 200.306.*
- c. *Be authorized or not prohibited under State or local laws or regulations.*
- d. *Conform to any limitations or exclusions set forth in these principles, Federal laws, terms and conditions of the Federal award or other governing regulations as to types or amounts of cost items.*
- e. *Be consistent with policies, regulations and procedures that apply uniformly to both*

Federal awards and other activities of the governmental unit.

- f. Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.*
- g. Except as otherwise provided for in 2 CFR § 200.306, be determined in accordance with generally accepted accounting principles.*
- h. Not be included as a cost or used to meet cost sharing or matching requirements of any other Federal award in either the current or a prior period, except as specifically provided by Federal law or regulation.*
- i. Be the net of all applicable credits.*
- j. Be adequately documented.*

2. Reasonable Cost

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. The question of reasonableness is particularly important when governmental units or components are predominately federally funded. In determining reasonableness of a given cost, consideration shall be given to:

- a. Be adequately documented.*
- b. Whether the cost is a type generally recognized as ordinary and necessary for the operation of the governmental unit or the performance of the Federal award.*
- c. The restraints or requirements imposed by such factors as: Sound business practices; arm's-length bargaining; Federal, State, and other laws and regulations; and terms and conditions of the Federal award.*
- d. Market prices for comparable goods or services.*
- e. Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the governmental unit, its employees, the public at large, and the Federal Government.*
- f. Significant deviations from the established practices of the governmental unit which may unjustifiably increase the Federal award's cost.*

3. Allocable Cost

- a. A cost is allocable to a particular cost objective if the goods or services involved are chargeable or assignable to such cost objective in accordance with relative benefits received.*
- b. All activities which benefit from the governmental unit's indirect cost, including unallowable activities and services donated to the governmental unit by third parties, will receive an appropriate allocation of indirect costs.*
- c. Any cost allocable to a particular Federal award or cost objective under the principles provided for in 2 CFR § 200.306 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.*
- d. Where an accumulation of indirect costs will ultimately result in charges to a Federal award, a cost allocation plan will be required as described in 2 CFR § 200.434.*

4. Applicable Credit

Applicable credits refer to those receipts or reduction of expenditure-type transactions that offset or reduce expense items allocable to Federal awards as direct or indirect costs. Examples of such transactions are: Purchase discounts, rebates or allowances, recoveries or indemnities

on losses, insurance refunds or rebates, and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the governmental unit relate to allowable costs, they shall be credited to the Federal award either as a cost reduction or cash refund, as appropriate.

In some instances, the amounts received from the Federal Government to finance activities or service operations of the governmental unit should be treated as applicable credits. Specifically, the concept of netting such credit items (including any amounts used to meet cost sharing or matching requirements) should be recognized in determining the rates or amounts to be charged to Federal awards.

5. Cost Match Register

Located in the tools is a **Cost Match Register** to record match details. The register will be an official document for closeout of the grant program requiring the match. The register consists of three registers: Cash, In-kind for Personnel, and In-kind for Equipment.

The **Cash Register** is to record any cash that is contributed to the match for the grant to meet the cost share. In addition to the purchase order or check number from State/County Fiscal Department, the document authorizing the match such as a County Resolution, State Legislature Act, etc., should accompany the proof of payment of the match. A copy of all cash supporting documents must be retained by the sub recipient.

In-Kind Cost Share – Personnel

In-kind cost sharing using personnel time is probably the most used cost sharing tool but also one that can lead to serious abuse. Document, document, document.

The information in the matrix must be completed and records must be retained to show the activity, contribution/association to the grant, justification to show worthiness to the program and how much time was associated with the cost share to the program. It is important to identify volunteers in the correct status. The 2 CFR § 200.306 provides good examples for reference.

IN-KIND COST SHARE – OTHER

In-kind support other than personnel must be documented to show the value, its contribution and relationship to grant, and the cost sharing it is being associated with. The four areas that must be answered by the provider include: is the cost share in-kind reasonable, is the share allowable, is the percent allowable and is the cost share allocable. The funding source of the item sharing is important in that another federal program cannot support the HSGP as a match. The contribution must show a relationship to the investment/project be allowable.

If space is being used as a match, the full value of the space must be identified and then what portion of the space is being attributed to/for the grant. Specific details are required and all supporting documentation/computations must be retained with the sub recipient.

***Quick Reference Cost
Sharing and Match
Reference 2 CFR § 200.306
and 434***

REPORTING PROCEDURES

All sub recipients are **obligated** to submit a Quarterly Financial Workbook. All reports are due to OHS by

the 5th working day following the last month of the quarter. Future reimbursements may be withheld if these reports are delinquent, demonstrate lack of progress, or are insufficient in detail. Reporting has become much more important, focused, and detailed, requiring both financial information and programmatic details.

Data that is provided on each sub recipient's **Quarterly Grant Expenditure Tracking and Reporting Workbook** is used for:

1. Comparison with OHS Weekly Report / Fiscal's FoxPro Reports
2. Comparison with OHS Grants Management System Database and Sub recipient's data
3. Completing the Federal Financial Report, SF-425
4. Completing the Bi-Annual Strategy Implementation Report
5. Completing the Semi-Annual Performance Progress Report

Grant reports are due the last day of the month following the end of each quarter.

Sub recipient Reports		
Quarter	Quarterly Financial Workbook	Official Report Submittal
January - March	5 th working day of April	April 30 th
April - June	5 th working day of July	June 30 th
July - September	5 th working day of October	October 31 st
October - December	5 th working day of January	January 31 st

To better assist all sub recipients and to address the significant number of grants managed, the **Quarterly Financial Workbook** is utilized to complete the quarterly reporting requirement. This report serves as an updated overall project progress.

The quarterly report format is refined to provide more depth in reporting to meet the requirements identified in Information Bulletin 388c, dated May 19, 2015. In addition to the quarterly report forms, the Quarterly Financial Workbook will include the reconciliation of purchases and the inventory of equipment purchased during the reporting period.

The key reports that each sub recipient is required to complete include the HSGP Quarterly Financial Workbook. Each quarter the HSGP Quarterly Financial Workbook is provided to the sub recipient to update projects with expenditures and reimbursements. The workbook can be found in the Grant Management Tools.

The PSGP are reported by Investment/Project to show level of encumbrance for each. The column marked "Match" should be completed for those grants requiring an in-kind match or those requiring a monetary match. As a reminder, the sub recipient is required to provide proof of match requirements with reimbursement memorandum. Review the section Cost Match and Procedures and the Match Register found in the Grant Management Tools. Email the completed report to OHS at gmo@hawaii.gov.

The Fusion Center is required to complete Building and Sustaining Law Enforcement Terrorism Prevention Capabilities. The Workbook contains reporting directions and description.

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

1. Direct recipients and sub award recipients must comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), as amended by section 6202(a) of the Government Funding Transparency Act (FFATA) of 2008 (Public Law 110-252).
2. Each sub recipient that obligates \$25,000.00 or more in Federal funds must be reported. Each obligation action must be reported to <http://www.fsrs.gov>.
3. Reporting each obligation must be reported no later than the end of the month following the month in which the obligation was made. Reporting will be in accordance with the instructions at <http://www.fsrs.gov>.
4. FFATA requires disclosure to the public of federal spending through a single searchable database, www.usaspending.gov
5. New federal awards of \$25,000.00 or more as of October 1, 2010, are subject to FFATA requirements.
 - a. Sub awards greater than \$25,000.00 must provide name of awardee, amount, funding agency, Catalog of Federal Domestic Assistance (CFDA) federal grant number, descriptive award title, location of awardee, and Data Universal Numbering System (DUNS) of awardee.
 - b. Compensation and name of top five executives if 1) 80 percent or more of annual gross revenues are from federal awards and \$25,000,000.00 or more in annual gross revenues are from federal awards, and 2) compensation information is not already available through reporting to the Securities and Exchange Commission.
6. The System for Award Management (SAM)
Grantees and sub recipients must not make any award or permit any award (sub grant or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive order 12549, "Debarment and Suspension."

The System for Award Management (SAM) is combining federal procurement systems and the Catalog of Federal Domestic Assistance into one new system. This consolidation is being done in phases. The first phase of SAM includes the functionality from the following systems:

- ✓ Central Contractor Registry (CCR)
- ✓ Federal Agency Registration (Fedreg)
- ✓ Online Representations and Certifications Applications
- ✓ Excluded Parties List System (EPLS)

All vendors and entities must register in SAM in order to receive grant funding. Sub recipients should recommend all vendors register at: <https://sam.gov/SAM/>

7. Each sub recipient must have a DUNS. The **Data Universal Numbering System (DUNS)**, is a proprietary system developed and regulated by **Dun & Bradstreet** that assigns a unique numeric identifier, referred to as a "DUNS number" to a single business entity. It was introduced in 1963 to support D&B's credit reporting practice. A DUNS number may be obtained through SAMS. The sub recipient DUNS number is on file with OHS.

Grant Programmatic and Financial Reports

Report	Due Date	Send to	Responsible Party	Explanation
Quarterly Financial Workbook including Citizen Corps and Training Information	5th working day of month following end of quarter	OHS	OHS	Internal workbook for ALL sub recipients receiving funding. Investment, project, and funding discussions for all recipient open grants by each sub identifying CCP training and other training for response agencies
Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR)	December 31 Annually	Input into the Unified Reporting Tool (URT)	State and UASI	Identifies updates to the THIRA in accordance with CPG 201 States and UASI will identify plausible, worst case threats and hazards and estimated capability requirement. The THIRA will transition to a three-year process. 2020 will require the response and recovery capabilities be completed with prevention and protection completed in 2020. By 2021 the THIRA will be on a three-year cycle.
National Incident Management System	December 31 Annually	Input into the Unified Reporting Tool for THIRA and SPR		NIMS implementation information
BSIR - Biannual Strategy Implementation Report	January 30 & July 30	https://www.reporting.odp.dhs.gov	OHS	Stratifies funds; OHS updates obligation progress, goals, and objectives for each open grant award (each fiscal year, each grant award) The BSIR address building and sustaining capabilities and how gaps identified in the THIRA are being addressed/met
BSIR – Final/Closeout	120 days after the end of the grant period	https://www.reporting.odp.dhs.gov	OHS	Final report
FFATA – Federal Funding Accountability and Transparency Act	Month after award	https://fsrs.gov/contractor	OHS	List of sub recipients
Typing of Equipment and Training	December 31 Annual	Reported with the Uniform Reporting Tool in the THIRA/SPR	OHS	Resource typing of all equipment purchased and training
Threat Hazard Identification Risk Assessment and Stakeholder Preparedness Report	December 31 Annual	THIRA/SPR Prep toolkit Urban Area Security Initiative must complete one report during grant period	OHS/HI-EMA	Submitted in the Prep toolkit based on as a part of the THIRA requirements

Grant Programmatic and Financial Reports				
Report	Due Date	Send to	Responsible Party	Explanation
Quarterly Report for EMPG	30 days after the end of each quarter	https://portal.fema.gov (ND system)	HI-EMA	Update on grant progress. Hawaii Emergency Management completes quarterly report and FEMA work plan update form SF-PPR-FORM
Validating Capabilities		https://portal.fema.gov (ND system)	OHS /HI-EMA	HSGP and EMPG grantees must develop and maintain a progressive exercise program consistent with the HSEEP and the National Exercise Program (NEP); conduct a Training and Exercise Planning Workshop (TEPW); and then develop a multi-year Training and Exercise Plan that addresses the priorities identified in the TEPW. EMPG grantees shall conduct no less than 4 quarterly exercises and one full-scale exercise within a 12-month period.
Validating Capabilities	90 days after completion of exercise	https://portal.fema.gov (ND system) Provide copy of AAR/Improvement Plan to OHS	OHS,	HSPG grantees can either submit one (1) AAR/IP for the culminating full-scale exercise that captures the lessons learned and corrective actions from the progressive exercise series OR submit one (1) AAR/IP for each HSGP funded exercise conducted within HSGP period of performance
SF-425 - Financial Status Report (FSR)	30 days after the end of each quarter	PARS System http://isource/fema/sf269/	OHS	Report of expenditures
SF-425 FSR - Final	90 days after the end of the grant period	PARS System http://isource/fema/sf269/	OHS	Report of cumulative expenditures and revenues
Schedule of Expenditures of Federal Financial Assistance (SEFA)	Per DOD Fiscal Office	Fiscal Office	DoD Financial Officer	Schedule of Federal Expenditures and Awards
Exercise Evaluation and Improvement After Action Report (AAR)	60 days following completion of the exercise/ real world situation	OHS	Exercise Coordinator OHS	Documents the performance of exercise related tasks and makes recommendations for improvements
Improvement Plan (IP)	60 days following completion of the exercise	OHS	Exercise Coordinator OHS	Outlines the actions that the exercising jurisdiction plans to take to address recommendations contained in the AAR
Award Obligation	45 days after receipt for the award	DHS	OHS	Identifies funds have been obligated from the SAA to

Source: IB 388; CPG 201 3rd Edition

Monitoring

Phase	Definition
Monitoring	Oversight, review audit and action plans, perform programmatic and financial monitoring, desk reviews, site visits and provide technical assistance to sub recipients.

OHS, functions as State Administrative Agency and primary recipient of the State Homeland Security Grant Program (Hawaii Emergency Management Agency is responsible for the Emergency Management Performance Grant Program).

OHS is responsible for monitoring the programmatic and financial activities of its sub recipients in order to ensure proper stewardship of federal program funds. All monitoring efforts ultimately serve to evaluate progress towards grant goals and proactively target and address issues that may threaten grant success during the period of performance for the following federal program funds:

State Homeland Security Grant Program
 Port Security Grant Program
 Nonprofit Security Grant Program
 Urban Areas Security Initiative Grant Program
 Stop School Violence Grant Program
 Other programs managed under OHS

Why Monitoring?

- Reduce risk of de-obligation in current disasters.
- Assist with compliance deficiencies so future audits and closeouts are a smooth process.
- Prepare for future events.
- Sub recipient Monitoring program identifies two types of monitoring Desk Reviews and Site Visits.

OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR §200) ("Uniform Guidance"), specifically sections **§200.331** and **§200.333**, requires prime recipients of federal funds to monitor sub awards and to ensure sub recipients meet the audit requirements in Subpart F and use funds in accordance with applicable laws, regulations, and terms of the award. This sub recipient Monitoring Program/Procedures applies to all sub awards issued under programs made to OHS, without regard to the primary source of funding.

The single audit is a requirement to procure an audit for sub recipients expending more than \$750,000.00 per year in federal funds, in total of **all** grant programs. In addition, if at least \$0.01 was spent with homeland security grant funds, OHS (as the pass-through agency) is required to obtain the single audit report, review, and issue a decision on remediation plans for each finding.

If a sub recipient expends \$750,000.00 or more per fiscal year in federal funds:

- *OHS must ensure they follow 2 CFR 200.331 through 200.333.*
- *Each sub recipient must provide a copy of the audit report, in compliance with 2 CFR 200.331 through 200.333 to OHS.*

- *The audit must be performed in accordance with the requirements of Government and Accountability Office's (GAO) Government Auditing Standards, located at <https://www.gao.gov/yellowbook/overview>, and the requirements of Subpart F of 2 C.F.R. Part 200, located at <http://www.ecfr.gov/cgi-bin/textidx?node=sp2.1.200.f>.*

MONITORING PROCEDURES

Risk Assessment

Pass through agencies are required to assess sub recipients' capacity to be successful. This is done by annually conducting a Risk Assessment of each sub recipient. The Risk Assessment provides the information needed to identify which sub recipient pose the greatest risk to the integrity of the Homeland Security and the Emergency Management Grant Programs.

The purpose of the assessment is to assist grant staff in effectively monitoring risks associated with grants made with federal pass-through funds to sub recipients. The focus is to ensure that grant programs meet the following requirements: adhere to the grantor's guidelines and agreements, remain within budget, projects, investment reviews, and ensure that proper internal controls are in place.

OHS will utilize the Risk Assessment as a key to our monitoring program. *The Risk Assessment will include but not limited to the areas below:*

Prior experience	Problems/issues at the sub recipient level
Prior audits and resolution	Conflicts of interests
Capacity to complete award	Personnel and personnel turnover
Changes in financial system	Prior monitoring/desk side reviews

OHS will work with each sub recipient during the development of the DBW for the review of the current year's Risk Assessment.

The Risk Assessment will be completed together between OHS and the sub recipient fostering open dialogue and collaboration for each party. Once completed, the form will be signed by each representative.

The Risk Assessment is to be completed prior to the award received and becomes a component to the Sub recipient Agreement documents. The Risk Assessment will be used to set up monitoring visit(s).

All documentation will be filed in the sub recipients official grant folder.

Desk Monitoring

Desk monitoring involves a review of reimbursement requests and financial and program reports submitted by the sub recipient. OHS may request additional documentation to support cost and service performance claims. It is the responsibility of the sub recipient to provide requested information and corrections on a timely basis.

Note: You are required to report if you have knowledge of possible fraud
2CFR § 200.113

Quick Reference Risk Assessment

2CFR § 200.205
2CFR § 200.331(b)

OHS will reconcile financial records with the State Fiscal Office and the sub recipient on a quarterly basis. The desk reviews are conducted with the reports furnished by the Fiscal Office and the quarterly reports submitted by each sub recipient.

Site Visits

The site monitoring visit is intended to assess a sub recipient's processes and procedures to achieve the intended outcomes of the grant award. In addition, it is an opportunity to provide technical assistance that may further enhance support to local jurisdictions in their grant administration as well as improve stakeholder relationships.

Annual Monitoring

OHS will establish monitoring visits annually with at least two sub recipients to ensure that all grant records, documentation, and files are complete and up to date as well as to address problems. The OHS Administrator will coordinate with each of the sub recipients to conduct on-site monitoring visits. Prior to the visit, a letter will be provided with general document requirements that should be on hand/available for the monitoring. These two documents should be forwarded to the sub recipient at least 30 days prior to the monitoring visit. Monitoring will normally take place between March through June or November timeframes. OHS is very aware of the multiple requirements on all sub recipients and will do its utmost to reduce the monitoring visit as to not interfere with operations. However, during the visit reviews and site visits OHS will be interested in reviewing equipment, training, exercises, and inventory would be appropriate.

The Grant Monitoring Review form will be used to collect the information/notes. This review will be sent to each sub recipient. Any major deficiencies or issues that cannot be resolved on site will be coordinated in writing within 30 days of the visit. The sub recipient will have 30 days to respond.

A copy of monitoring notes and review will be placed in the sub recipients grant folder.

Once completed, the monitoring report will be placed in the official Grant Folders. Each sub recipient should also retain a copy for Auditing purposes and closeout.



Audits

Sub recipients are responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501–7507); 31 U.S.C. 503, 1111; Executive Order 8248; Executive Order 11541; and 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

The Department of Homeland Security has adopted 2 CFR Part 200. 2 CFR Part 200 applies to all new FEMA grant awards that are made on or after December 26, 2014. The Uniform Guidance 2 CFR requires state and county agencies receiving Homeland Security funds requires a sub recipient **expending** \$750,000.00 or more in federal funds in the organization’s fiscal year requires the organization to conduct an organization–wide financial and compliance audit. The audit must be performed in accordance with the requirements of Government and Accountability Office (GAO) Government Auditing Standards located at <http://www.gao.gov/govaud/ybk01.htm>, and the requirements of Subpart 2 CFR, Part 200, located at <http://www.ecfr.gov/cgi-bin/text-idx?node=sp2.1.200.f>.

The sub recipient will permit the State of Hawaii project officials, program officials and auditors to have access to the sub recipient’s and third–party contractor’s records and financial statements as necessary for the State to comply with *the audit*.

When a non-federal entity expenditure total less than \$750,000.00 for the year, the non-federal entity is exempt from a single audit sub part f 2CFR 200.501

Copies of audit findings must be submitted to OHS within 30 days after the sub recipient receives the audit report, or within a 9–month period of the grant closeout date, whichever is earlier. Include the federal agency name, program, grant number, and year; the Catalog of Federal Domestic Assistance (CFDA) title and number; and the name of the pass–through agency. A copy of sub recipient audits is required to be provided to OHS for review, follow up on any issues, and a copy maintained with grant records. This is a sub recipient responsibility to ensure a copy is on filed with OHS.

Some of the areas of interest for auditors regardless of the level of the audit (OIG, IG, annual) includes:

Policies and Procedures – current; used	Allocation to sub recipients
Monitoring	Sustainability Plans
Time and Attendance	Inventory – controls, policies, and procedures
Sole Source purchases and SAA approval	Equipment Usage
Documentation – presentation; completeness; invoices; support documents	THIRA
Contracts and contracting; procurement controls	Risk Assessment

Closeout Phase

Phase	Definition
Closeout	Grant evaluation, financial and appeal reconciliation, and final reporting activities are performed during this phase. The official grant file may be an output of this phase.

OHS will begin the closeout process at least six months prior to the ending performance period to close a grant. Action will include but not limited to:

- ✓ Reconcile with Grant Management System records with the FOXPRO, payroll, and PCard records.
- ✓ Reconcile each record in the Grant Management System with the financial records and the grant transactions. Changes must be made to ensure that the transactions are correctly reflected in the databases and reflect on the proper transactions.
- ✓ Ensure changes are made to align the records; may require reviewing grant guidance to ensure that all earmarks are met. If there is a problem, may need to review and possible realign to stay within earmarks.
- ✓ Reconcile with the ***Sub recipient agreement*** funding levels. If the Sub recipient award requires an adjustment, process a Grant Adjustment Notice, or include adjustment in the Closeout Grant Adjustment Notice (GAN).
- ✓ Coordinate the reconciliation closely with both OHS and the sub recipient Fiscal/Budget Office to ensure all records are corrected in all registers.
- ✓ Obtain a copy of the sub recipients inventory records to be included with the grant closeout files.

The reconciliation will be the foundation for the Closeout GAN.

- ✓ Complete the GAN to adjust the sub recipient award agreement
 - Account for investments identified in the sub recipient agreement as applicable, adjust the project description and funding
 - Add investments sub recipient spent funding
 - Benefits – what additional support was provided by OHS in support of the sub recipient above the award amount such as reimbursement for training and exercises (above the amount identified in the sub recipient award agreement)
- ✓ Complete a closeout letter
 - Capability review: each county will provide an overview of how each investment’s funding assisted in increasing capability. This overview will be prepared by the sub recipient – this document will not be changed by OHS; therefore, sometime should be given to this narrative. These reviews will be forwarded with the closeout GAN to the Mayor/Director.
- ✓ Forward the Closeout GAN to the Mayor/Director
 - Closeout report for each investment
 - GAN Closeout Document
 - Cover letter
- ✓ Forward to DHS/FEMA
 - Copy of all Closeout Documents organized by sub recipient
 - Copy of Inventory Documentation
 - Final SF-425 and semi-annual report
 - Any project marketing developed for a project

**Quick Reference Cost
Closeout
Reference 2 CFR § 200.344**

HOMELAND SECURITY GRANT CLOSEOUT ACTIVITIES
(Key dates related to closeout of grant programs)

Goal: complete all reimbursements during performance period thus reducing number of reimbursements during the closeout period; also reduces risk of unspent funds and/or the return of funds.

MORE EFFICIENT AND BETTER BUSINESS PRACTICES!!!!

**Grant Period of Performance
Extended due to COVID-19**

FY 2018 HOMELAND SECURITY GRANT PROGRAM – EMW-2018-SS-00006

- Performance Period: September 1, 2018 – August 31, 2022
- Liquidation Period: September 1, 2022 – November 29, 2022
- Last Encumbrance Date: (Purchase orders, contracts, Pcards must be executed by this date) August 31, 2022
- Last date to submit invoices: (Invoices must be submitted to OHS by this date) August 31, 2022
- Close out Expenditure Report: September 1, 2022
- Equipment/Inventory Listing Due: September 1, 2022
- Close out Performance Report: September 1, 2022
- Return of Close out GAN to DoD: September 15, 2022
- Closeout reports (SF 425 and Semi-annual Reports): October 5, 2022
- Closeout in ND Grants: November 29, 2022
- Closeout in Bi-annual Strategy Implementation Report: December 2022

FY 2018 PORT SECURITY GRANT PROGRAM – EMW-2018-PU-00002

- Performance Period: September 1, 2018 – February 28, 2022
- Liquidation Period: March 1, 2022 – May 29, 2022
- Last Encumbrance Date: (Purchase orders, contracts, Pcards must be executed by this date) February 28, 2022
- Last date to submit invoices: (Invoices must be submitted to OHS by this date) February 28, 2022
- Close out Expenditure Report: March 1, 2022
- Equipment/Inventory Listing Due: March 1, 2022
- Close out Performance Report: March 1, 2022
- Return of Close out GAN to DoD: March 15, 2022
- Closeout reports (SF 425 and Semi-annual Reports): April 5, 2022
- Closeout in ND Grants: May 29, 2022
- Closeout in Bi-annual Strategy Implementation Report: June 2022

FY 2020 HOMELAND SECURITY GRANT PROGRAM – EMW-2020-SS-00022

FY 2020 PORT SECURITY GRANT PROGRAM – EMW-2020-PU-00033

- Performance Period: September 1, 2020 – August 31, 2023
- Liquidation Period: September 1, 2023 – November 29, 2023
- Last Encumbrance Date: (Purchase orders, contracts, Pcards must be executed by this date) August 31, 2023
- Last date to submit invoices: (Invoices must be submitted to OHS by this date) August 31, 2023
- Close out Expenditure Report: September 1, 2023
- Equipment/Inventory Listing Due: September 1, 2023
- Close out Performance Report: September 1, 2023
- Return of Closeout GAN to DoD: September 15, 2023
- Closeout reports (SF 425 and Semi-annual Reports): October 5, 2023
- Closeout in ND Grants: November 29, 2023
- Closeout in Bi-annual Strategy Implementation Report: December 2023

FY 2019 HOMELAND SECURITY GRANT PROGRAM – EMW-2019-SS-00019

FY 2019 PORT SECURITY GRANT PROGRAM – EMW-2019-PU-00064

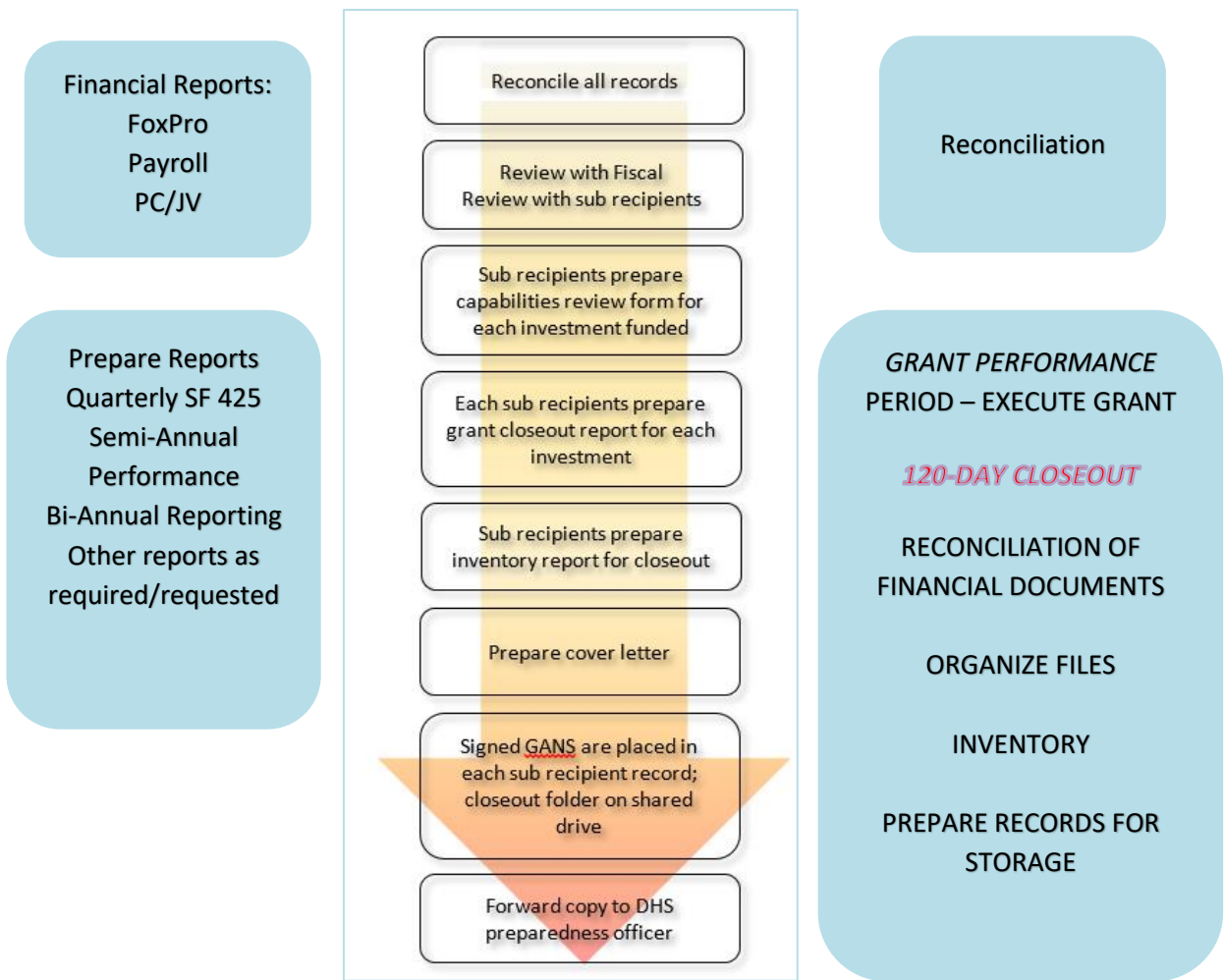
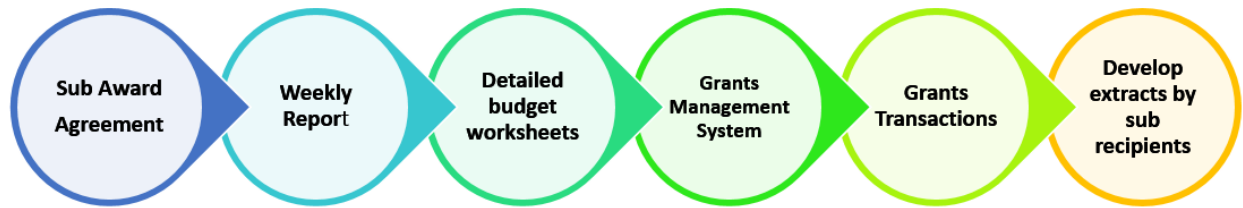
- Performance Period: September 1, 2019 – August 31, 2022
- Liquidation Period: September 1, 2022 – November 29, 2022
- Last Encumbrance Date: (Purchase orders, contracts, Pcards must be executed by this date) August 31, 2022
- Last date to submit invoices: (Invoices must be submitted to OHS by this date) September 15, 2022
- Close out Expenditure Report: September 15, 2022
- Equipment/Inventory Listing Due: September 30, 2022
- Close out Performance Report: September 30, 2022
- Return of Closeout GAN to DoD: September 30, 2022
- Closeout reports (SF 425 and Semi-annual Reports): October 5, 2022
- Closeout in ND Grants: November 30, 2022
- Closeout in Bi-annual Strategy Implementation Report: December 2022

FY 2021 HOMELAND SECURITY GRANT PROGRAM – EMW-2021-SS-00030

FY 2021 PORT SECURITY GRANT PROGRAM – EMW-2019-PU-00060

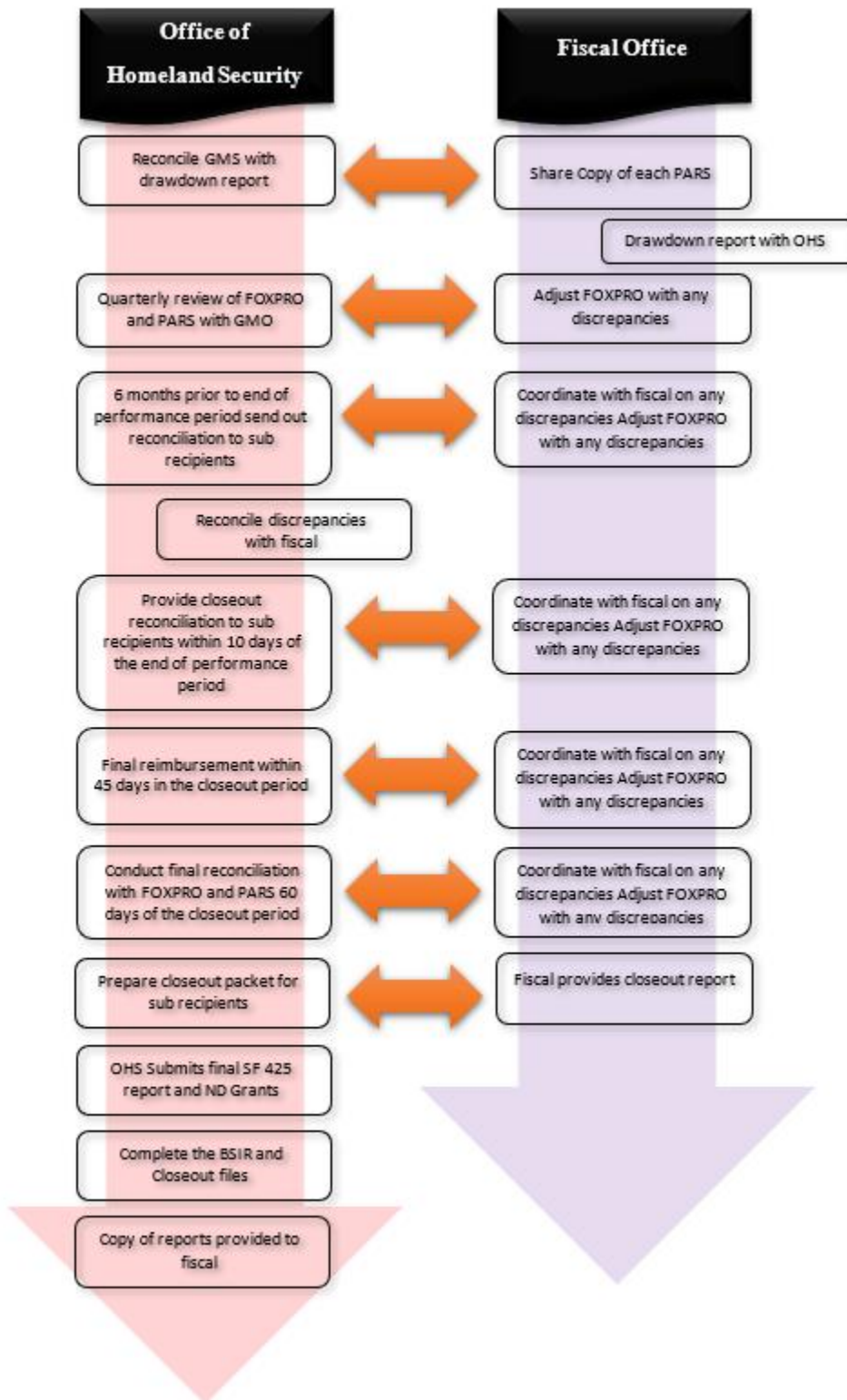
- Performance Period: September 1, 2021 – August 31, 2024
- Liquidation Period: September 1, 2024 – November 29, 2024
- Last Encumbrance Date: (Purchase orders, contracts, Pcards must be executed by this date) August 31, 2024
- Last date to submit invoices: (Invoices must be submitted to OHS by this date) August 31, 2024
- Last date to submit invoices: (Invoices must be submitted to OHS by this date) August 31, 2024
- Close out Expenditure Report: September 1, 2024
- Equipment/Inventory Listing Due: September 1, 2024
- Close out Performance Report: September 1, 2024
- Return of Closeout GAN to DoD: September 15, 2024
- Closeout reports (SF 425 and Semi-Annual Reports): October 4, 2024
- Closeout in ND Grants: November 29, 2024
- Closeout in Bi-Annual Strategy Implementation Report: December 2024

FLOW OF THE CLOSEOUT PROCESS AND DOCUMENTS



CLOSEOUT PROCESS WITH FISCAL

Goal: prevent repeated closeout problems between OHS and fiscal office to eliminate discrepancies in FOXPRO, FAMIS, PARS and internal Grants Management System.



Post-Closeout Phase
(Continuous Grant Management Activities)

Phase	Definition
Post Closeout	Program evaluation is conducted after closeout of the award. Feedback may also be obtained on development, application review, and allocation from federal, state, local, and private partners through a formal or informal after-action process.

RECORDS MANAGEMENT

Documentation

Records management is essential to ensure requirements are achieved and documented. Records may be retained in an automated format.

Sub recipients shall maintain grant financial and administrative records for a period of six years following the date of the closure of the grant award, or audit if required. Sub recipients shall maintain records for a minimum of 3 years. If there is litigation, claim, negotiation, audit, or other action involving the records have begun before the official expiration of the holding time period, the records must be retained until there is a resolution of said action.

Time and effort, personnel and payroll records for all individuals reimbursed under the award must be maintained. Sub recipients shall identify and maintain records for each grant separately, to include different federal fiscal periods, so that information desired may be readily located. Grantee/Sub recipients are also obligated to protect records adequately against fire or other damage. **When records are stored away from the sub recipient’s principal office, a written index of the location of records stored should be on hand and ready access should be assured.**

Property

Property records (including equipment) must be maintained and include a description of the property, a serial number or other identification number, the source of property, who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the cost of the property, the location, use and condition of the property, and any ultimate disposition 2CRF § 200.334 property records are to be retained for three years following the final disposition, replacement, or the transfer of the property.

At least annually, the sub recipient is required to perform a physical inventory of the property and reconcile the results with the property records. As described within this document, equipment must be marked with a Department of Homeland Security identifier.

A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated.

Adequate maintenance procedures must be developed to keep the property in good condition. If the sub recipient is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return. When original or replacement equipment acquired under a grant is no longer needed for the original project or program or for other activities is currently or previously supported by Federal agency, disposition of the equipment will be made as follows:

1. *Items of equipment with a current per-unit fair market value of less than \$5,000.00 may be retained, sold, or otherwise disposed of with no further obligation to the SAA.*

2. *Items of equipment with a current per-unit fair market value in excess of \$5,000.00 may be retained or sold and the SAA shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the SAA's share of the equipment.*
3. *Equipment may be transferred to another agency with written approval from the SAA. Disposal, sale, or transfer of property must be documented with the execution of the Equipment Disposal/Transfer Form. The Equipment Disposal/Transfer Form must be retained for the useful life of the equipment which may extend beyond the grant period and required three-year record retention.*

Periodic monitoring is required to ensure that program goals, objectives, timelines, budgets, and other related program criteria are being met. OHS reserves the right to periodically monitor, review and conduct analysis of sub recipient's financial, programmatic, and administrative policies and procedures such as, accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting and procurement policies and records, payroll records and means of allocating staff costs, property/equipment management system(s), progress of project activities, etc. This may include desk and field audits.

Grant financial and administrative records shall be maintained for a period of three years following the date of the closure of the grant award, or audit if required. Time and effort, personnel and payroll records for all individuals reimbursed under the award must be maintained.

Sub recipients are expected to see that records of different federal fiscal periods are separately identified and maintained so that information desired may be readily located. Sub recipients are also obligated to protect records adequately against fire or other damage. When records are stored away from the sub recipient's principal office, a written index of the location of records stored should be on hand and ready access should be assured.

Access to sub recipient records must include the HIDOD, the federal granting agency, the Office of the Inspector General, the Comptroller General of the United States, or any of their authorized representatives, who shall have the right of access to any pertinent books, documents, papers, or other records of recipients which are pertinent to the award, in order to make audits, examinations, excerpts and transcripts. The right of access must not be limited to the required retention period but shall last as long as the records are retained. A copy of the **Monitoring Protocols** is included in the Appendix A.

**Quick Reference
Monitoring
2CFR § 200.331**

**Quick Reference
Risk Assessment
2CFR § 200.206
2CFR § 200.331**

**Note: You are required
to report if you have
knowledge of possible
fraud
2CFR § 200.113**

GRANT FILE FOLDER FRAMEWORK

Sub recipients will maintain a physical as well as an electronic filing system for each grant. Below is a suggested framework that mirrors the grant file folder layout maintained at OHS.

1. **APPLICATION AND GUIDANCE**
2. **DOCUMENTATION**
 - a. Award Documents
 - b. Grant Agreement and Articles and Special Conditions
 - c. Grant Adjustment Notices
3. **TRACKING**
 - d. Detailed Budget Worksheets
 - e. Sub recipients Grant Adjustment Notices
 - f. Reports (Quarterly Financial Workbook, Annual Inventory, Etc.)
4. **MISCELLANEOUS**
 - g. EHP Submissions and Approvals
 - h. Monitoring Reports
 - i. Risk Assessments
 - j. Overtime Request Forms
5. **CORRESPONDENCE**
6. **CLOSEOUT**
 - k. Reconciliation of All Records
 - l. Inventory
 - m. Closeout Notice
 - n. Progress Reports (Capability Assessment)

PUBLICATIONS

Publications created with funding under the Department of Homeland Security grants shall prominently contain the following statement: "This document was prepared under a grant from the Federal Emergency Management Agency (FEMA)'s Grant Programs Directorate, U.S. Department of Homeland Security, and the Department of Defense. 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, the U.S. Department of Homeland Security, or the State of Hawaii.

Acronyms

Below are some commonly used terms associated with Homeland Security and State Homeland Security Grant Programs.

A	AEL	Authorized Equipment List
B	BSIR	Biannual Strategy Implementation Report
	BZPP	Buffer Zone Protection Plan
C	CAPR	Categorical Assistance Program Reports
	CBRNE	Chemical, Biological, Radiological, Nuclear or Explosive
	CCP	Citizen Corp Program
	CERT	Community Emergency Response Teams
	CFDA	Catalog of Federal Domestic Assistance
	CI/KR	Critical Infrastructure/Key Resources
	COOP / COG	Continuity of Operations and Continuity of Government
D	DHS	Department of Homeland Security
	DUNS	Data Universal Numbering System (Develop and Regulated by Dun & Bradstreet)
	DOJ	Department of Justice
	DOT	Department of Transportation
E	EHP	Environmental and Historical Preservation
	EM	Emergency Manager/Emergency Management
	EMA	Emergency Management Agency
	EMPG	Emergency Management Performance Grant
	EMS	Emergency Medical Services
	EOC	Emergency Operations Center
	EOP	Emergency Operations Plan
	EPCRA	Emergency Planning and Community Right to Know Act
	ESF	Emergency Support Function
F	FBI	Federal Bureau of Investigation
	FC	Fusion Center
	FEMA	Federal Emergency Management Agency
	FFR	Federal Financial Report

G	GA	Grant Agreement
	GAN	Grant Adjustment Notice
	GAO	Government Accountability Office
	GAR	Grant Adjustment Request
	GMS	Grant Management System
	GPD	Grant Programs Directorate
	GRT	Grant Reporting Tool
H	HAZMAT	Hazardous Materials
	OHS	Hawaii Department of Defense, Office of Homeland Security
	HSEEP	Homeland Security Exercise and Evaluation Program
	HSGP	Homeland Security Grant Program
	HlePro	Hawaii Electronic Procurement System
I	ICS	Incident Command System
	IECGP	Interoperability Emergency Communications Grant Program
	IED	Improvised Explosive Device
J	JIC	Joint Information Center
L	LEOP	Local Emergency Operations Plan
	LEPC	Local Emergency Planning Committees
	LETP	Law Enforcement Terrorism Prevention Program
	LLIS	Lessons Learned Information Sharing
M	M&A	Management and Administration
	MMRS	Metropolitan Medical Response System
	MOA	Memorandum of Agreement
	MOU	Memorandum of Understanding
N	NEPA	National Environmental Policy Act
	NIMS	National Incident Management System
	NIMSCAST	National Incident Management System Capabilities Assessment Support Tool
	NRF	National Response Framework
O	OMB	Office of Management and Budget

P	PANS	Procurement Award, Notices and Solicitations
	PTE	Planning Training and Exercise
	PPR	Performance Progress Report
	PSGP	Port Security Grant Program
	PSIC	Public Safety Interoperability Communications
R	RKB	Responder Knowledge Base
S	SAA	State Administrative Agency
	SAM	System for Awards Management
	SERC	State Emergency Response Commission
	SHSGP	State Homeland Security Grant Program
	SOP	Standard Operating Procedure
U	UASI	Urban Areas Security Initiative
	UTL	Universal Task List

Grant Management

Tools - Forms

Grant Management Tool - Forms

1. Overtime Request Form

Provides details for scheduled overtime

2. Detailed Budget Worksheet (DBW) and Detailed Budget Worksheet Change Request Form

The DBW identifies how the funds will be used; changes to the DBW must be submitted to OHS for approval. DBW change request over \$150,000, 10% of the budget cumulative over the course of the award lifecycle or change in investments / projects will require an amendment to be submitted in ND grants for budget and program review/approval by DHS/FEMA.

3. Homeland Security Exercise Request Form

The exercise form should be completed and submitted to OHS prior to an exercise. It provides information on the exercise budget, type of exercise, dates, etc.

4. Overtime Detailed Summary for Reimbursement Form

The overtime detailed summary for reimbursement form is used to record and calculate overtime for reimbursement

5. Transmittal Reimbursement Checklist

The transmittal reimbursement checklist provides a general guidance on what supporting documents are required for reimbursements. For example, travel, overtime, general reimbursements.

6. Transmittal Requesting for Reimbursements / Bill for Collection / Fund Obligation

The transmittal reimbursement form provides an option for sub recipients to use for a reimbursement request. State agencies will require a bill for collection form in addition to the transmittal reimbursement form. The fund obligation request is used to obligate funds and obtain a State purchase order. Fund obligations is used primarily for contracts with multiple payment schedules.

7. Cost Share Register

The cost share register is provided to substantiate the match requirement in terms of in-kind, and/or cash contribution

8. DHS/FEMA Environmental and Historic Preservation Screening Form

This form is designed to initiate and facilitate the environmental and historic preservation (EHP) compliance review for your grant-funded project(s).

9. Homeland Security Grant Program Quarterly Financial Workbook

The Quarterly Financial Workbook is used to identify activities for the quarter and record activities over the course of each grant lifecycle. This report form should also be considered as the quarterly expenditure plan. Sub recipients should report on open investments/projects. Each Investments will also identify associated project(s) and funding attributed to each project.

Exercises and citizen corps training and other training conducted during the quarter is also required for reporting. Additional reporting requirements are included in the Appendix for previous grant. Reporting information related to Grant-Funded Typed Resource Report and NIMS Resource Types and Typing.

10. Maintenance Contracts and Warranties Tracking Log

Identification of extended maintenance costs and warranties that are identified under new grant period

11. Property and Equipment Inventory Log

Equipment inventory log for each sub recipient is required to be on file with the Hawaii Department of Defense, Office of Homeland Security grants records

Provides tool for sub recipients to report equipment that is being held for emergencies, routinely utilized and/or for strategic reserves

12. Sole Source - Contract Review Cost Price Analysis

The cost and price analysis will be used to provide an analysis of purchasing using sole source or single vendor contracting. This could be for a single bid received, vendor declines to provide a bid, or WSCA contract.

13. Closeout Report

The closeout report is provided at closeout to allow the sub recipient to identify how the funds assisted in improving capability and identification of gaps for future investment opportunities and/or funding opportunities.

14. Retention of Funds

The retention of funds will be utilized if a portion of the 80 percent of the Homeland Security Grant Program funds are retained by the State on behalf of one or more of the counties. The retention form provides an agreement by both parties (sub recipient / SAA) that the funds retained by the State will benefit the counties.

15. Sub Recipient Award Grant Agreement Articles and Special Conditions

The sub recipient award grant agreement articles and special conditions will replace the memorandum of agreement.

Any special conditions identified in the award and / or Notice of Funding Opportunity will be identified in sub recipient award grant agreement articles and special conditions and will accompany the sub recipient award.

16. Conflict of Interest Form

Provides for disclosure for an interested person is a person who has a direct or indirect financial interest as identified below.

17. Monitoring Program Review Form - Field Review / Desk Review

Sub recipient monitoring will be completed at least once throughout the period of performance for each HSGP.

These forms are available for download at: <https://dod.hawaii.gov/ohs/resource-library>

Appendices

Appendix - A

Additional Grant Tools and Information

Appendix - B

Grants Management and Office Guide (extracted)

Appendix - C
Department of
Commerce/Other Grant
Programs (extracted)

Appendix - D

**Department of Justice/Other
Grant Programs (extracted)**

Appendix - E

Allocation and Reallocation of Funds

APPENDIX E: ALLOCATION AND REALLOCATION OF FUNDS

This appendix is developed upon 2016 monitoring by Department of Homeland Security Program Manager. Within the Procedural Manual there is discussion related to the allocation/reallocation of funding, but we do not detail that process. This Appendix outlines that processes.

The allocation of Homeland Security or any grant funds managed under the auspices of the office begins with the initial grant meeting and ends with the closeout of the grant. The Homeland Security is a more formal process; this does not negate or dilute the importance of other programs. In between these two activities many actions take place. Some actions require review and potentially a decision by the State Administrative Agent.

The day-to-day operations requires the program manager / sub recipient to meet the timelines prescribed in the notice of funding opportunity, award, and Procedural Manual. If funds cannot be expended for projects initially identified, approved, and funding provided, the Office of Homeland Security would like the program manager / sub recipient to provide sufficient time to reallocate funding to others so as not to lose funding back to the awarding agency.

Providing funding while not an easy process is much easier than trying to take funds back. In the past while mentioned, only in the present has it been seen as a reality. While we have not taken funds from a sub recipient, it had been difficult in few incidents to move toward completion of projects. It is now understood the Office of Homeland Security will not continue to accept reimbursements/payments so late into the performance timeframe. By the closeout of FY 2017, the sub recipients will not have any time for business during the performance period. This is to allow the Office of Homeland Security the opportunity to close out the grants on time, if not before.

The graphic shows the process used to support the distribution or allocation of funds, and if necessary, the decision to issue a Grant Adjustment Notice ending a relationship of a particular program manager / sub recipient.

APPENDIX E: ALLOCATION AND REALLOCATION OF FUNDS

The Office of Homeland will set the annual grant meeting in advance. In many situations, it is unknown the dollar value or program parameters, however sub recipients should have investments ready to move forward vs starting over. This meeting normally will have 50 to 60 representatives from state/county/ private sector. It is supported by the Mayors to Law Enforcement officers, fireman, etc.

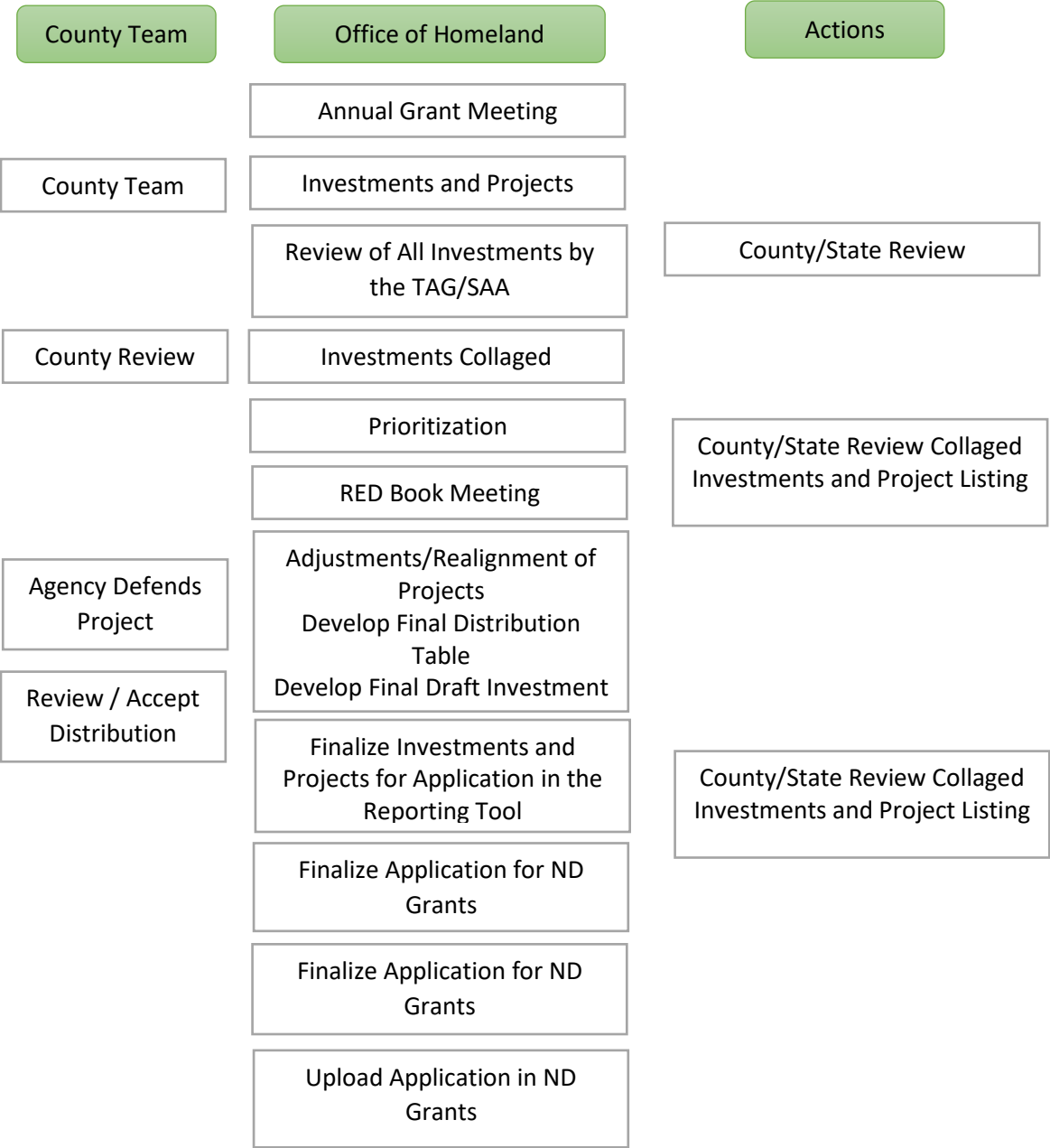
Agencies interested in participating will have approximately 6 weeks to develop investments and project. Collaboration is encouraged; working groups can be set up to help move forward. Investments and projects are submitted – everyone is initially recognized.

Each county has a process which includes their county team/stakeholders for the development and approval of the initial submission.

All investments are identified in a matrix and eventually collaged. DHS only allows 10 investments which can translate into any number of projects. The TAG will review and make any recommendations. There may be some adjustments prior to the collage or after the TAGs review. These adjustments might be to pull the investment; adjustments in the narrative and/or funds.

If the demand is higher than the funding projected or identified the investments and especially projects must be prioritized.

The prioritization may be before the funding levels are known. In this case, we always use the year prior as a gauge until the grant guidance is known. The allocation is not pre-determined but looking at past projects, funding, and projection. The allocation is not set that each county receives 25% or City and County receive a much higher. Recommendations are provided to the TAG; the final decision will not be until after the RED Book. The idea is to build the investment and investment package for review and decision making. Risk Assessment plays a role.



APPENDIX E: ALLOCATION AND REALLOCATION OF FUNDS

The final distribution table will be developed based on the discussions, meetings, reviews and funding. A final distribution table is provided to the agencies awarded funding for a final review.

The final distribution table is used to support the alignment of funds by POETE, investment, and project for each agency receiving funding.

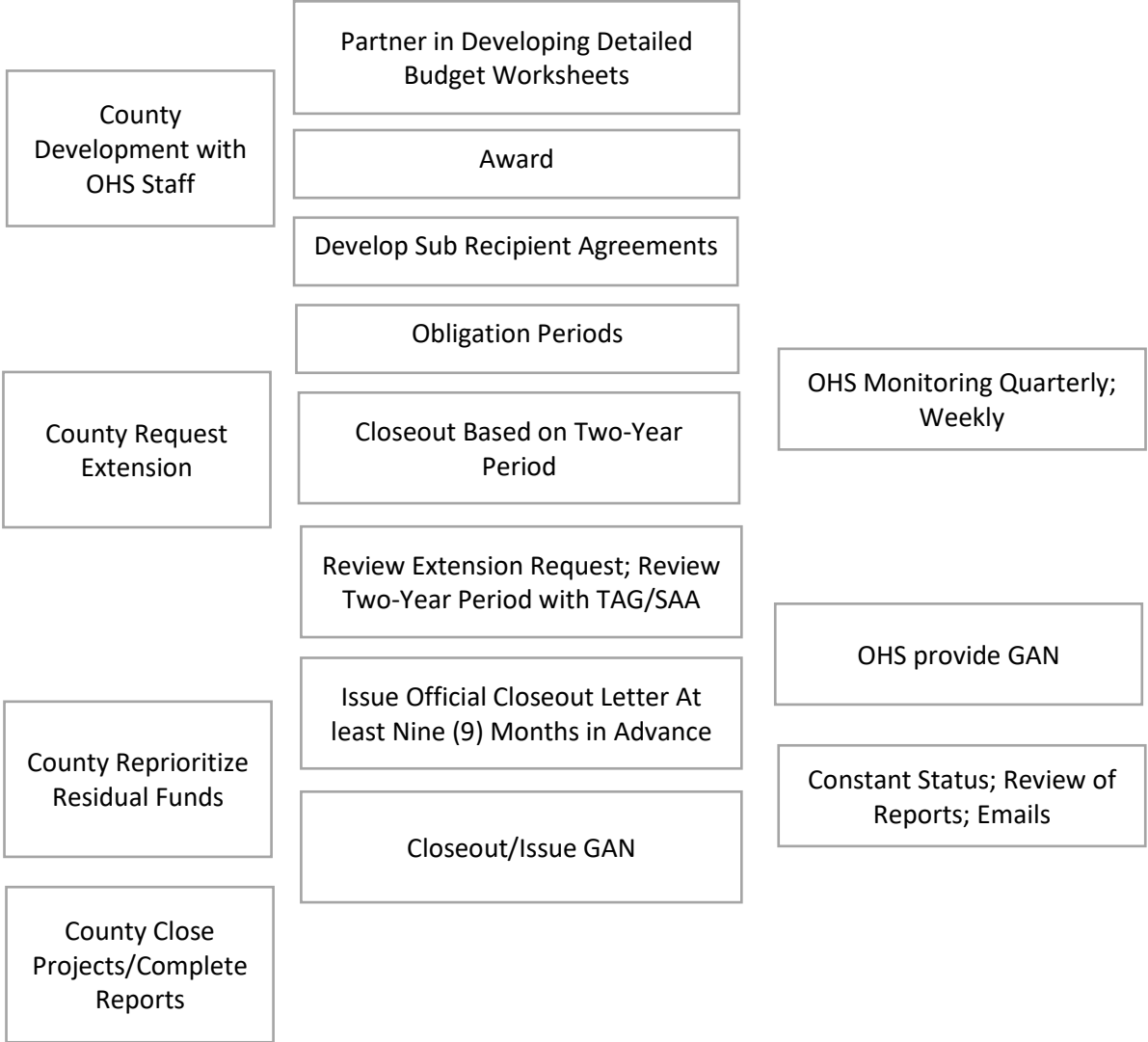
Simultaneous must redevelop the investments in the reporting tool for the application into ND Grants. Once complete the redevelopment of the investment in reporting tool, submit, make a copy, and put into ND Grants for submission of the grant.

After the application is submitted, begin working on the detailed budget worksheet and the identification of EHPs or other requirements necessary per NOFO.

Moving through the grant award into the post award is the review of the obligation periods. By December 31st of year 1 sub recipients should have contracts completed; currently with a two performance this is a must. The Year 3 must be requested and internally a Grant Adjustment Notice provided to the sub recipients requiring an extension.

The reallocation of dollars is normally residual dollars remaining at the end of a project or grant period. The TAG while in a position to request funds to be reallocated at the end of the two years does not want to do this. He desires the counties to use the funds as they had requested to improve their capabilities.

Projects completed at the end of year two are encouraged to close out the project with final report.



Appendix - F
Civil Rights and Limited
English Proficiency
Compliance

APPENDIX F: CIVIL RIGHTS AND LIMITED ENGLISH PROFICIENCY COMPLIANCE

The Hawaii Department of Defense, Office of Homeland Security as a recipient for Homeland Security Federal Emergency Management or other grant programs, basic elements of this Appendix provides guidance to ensure program participants, grant recipients, vendors, customers, etc. may not be discriminated on the grounds of race, color, national origin, or be excluded from participation in the Homeland Security, Emergency Management, Disaster or Non-Disaster Grant Programs or other federal organization Programs, benefits, services, or other opportunities.

This Appendix provides information for the HIDOD OHS for the Homeland Security Grant Programs, Federal Emergency Management Agency, Bureau of Justice, Department of Commerce or other grant programs for the following:

- Notice of Nondiscrimination
- Providing Individuals with Disabilities Reasonable Accommodations
- Discrimination Complaint Process
- Limited English Proficiency Accommodations
- Combating Race and Sex Stereotyping

The Office of Homeland Security and its sub recipients must ensure it does not:

- deny program services, financial aids, or other benefits;
- provide different program services, financial aids or other benefits, or provide them in a manner different from that are provided to others;
- segregate or separately treat persons in any manner related to the receipt of any program service, financial aid or benefit;
- restrict in any way the enjoyment of any advantage or privilege enjoyed by others receiving any program, service, financial aid or other benefits;
- treat persons differently from others in determining eligibility to receive services, financial aids, or other benefits;
- deny persons the opportunity to participate in the programs through the provisions of services, or affording the opportunity to do so differently from those afforded others under the program; or
- deny persons the opportunity to participate as a member of a planning, advisory, or similar body.

Reasonable accommodations must be made available to all individuals with disabilities who are inquiring about the Homeland Security Grant Programs, Federal Emergency Management Agency, Bureau of Justice, Department of Commerce, or other managed grant programs.

Program participants, grant recipients, vendors are encouraged to engage the public to make them aware of projects or services and to provide input (to the extent allowable in the grant guidance) in the review of and/or decision-making process through public meetings/hearings in centralized locations; advertisement with local media resources and newspapers; direct mailings; public service announcements; website, and radio and television.

Combating race and sex stereotyping M-20-34 encourages diversity and inclusion efforts consistent with principles of fair and equal treatment, and it defines the sort of divisive trainings that need to be ended. Agencies should continue all training that will foster a workplace that is respectful of all employees. Agency employees and contractors are not to engage in divisive training of Federal workers.

- (a) “Divisive concepts” means the concepts that (1) one race or sex is inherently superior to another race or sex; (2) the United States is fundamentally racist or sexist; (3) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (4) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex; (5) members of one race or sex cannot and should not attempt to treat others without respect to race or sex; (6) an individual's moral character is necessarily determined by his or her race or sex; (7) an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (8) any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or (9) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race. The term “divisive concepts” also includes any other form of race or sex stereotyping or any other form of race or sex scapegoating.
- (b) “Race or sex stereotyping” means ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of his or her race or sex.
- (c) “Race or sex scapegoating” means assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of their race or sex. It similarly encompasses any claim that, consciously or unconsciously, and by virtue of his or her race or sex, members of any race are inherently racist or are inherently inclined to oppress others, or that members of a sex are inherently sexist or inclined to oppress others.
- (d) “Senior political appointee” means an individual appointed by the President, or a non-career member of the Senior Executive Service (or agency-equivalent system).

Each agency shall report to OMB all spending in Fiscal Year 2023 on Federal employee training programs relating to diversity or inclusion, whether conducted internally or by contractors. Training or education on the divisive concepts is not an allowable cost unless otherwise provided by law.

Limited English Proficiency (LEP) relates to individuals who do not speak English as their primary language and who have limited ability to readily, write, speak, or understand English. The Office of Homeland Security will aid individuals with limited English proficiency in a timely

manner to participate in operations, services, activities, and programs that support each Homeland Security mission area in a timely manner.

The Office of Homeland Security will coordinate with each of its sub recipient to ensure they have procedures in place for responding to discrimination complaints that vendors, customers, or consumers of a subrecipient can file a complaint directly with the HIDOD OHS. The Office of Homeland Security and subrecipients must have a mechanism for advising service recipients of their rights under Title VI of the Civil Rights Act of 1964 and how to file a discrimination complaint. The Office of Homeland Security will be responsible for maintaining a log of complaints which are filed. Individuals filing a complaint should file as soon as possible of the alleged occurrence or when the alleged discrimination became known to the complainant. Complaints filed with a sub recipient should be forwarded to the Office of Homeland Security for processing.

Non-Compliance is the failure or refusal to comply with Title VI of the Civil Rights Act of 1964, other applicable Civil Rights Laws, and implementing departmental regulations. Individuals who believe they have been discriminated against because of race, color, or national origin, including limited English proficiency, for programs or activities associated with the Homeland Security Grant Program may initiate a complaint. In addition to filing complaint with Office of Homeland Security, complaints may be filed with the Office for Civil Rights and Civil Liberties at: <https://www.dhs.gov/file-civil-rights-complaint>. The State of Hawaii Discrimination Compliant Form is available in English and may be available in multiple languages. The form can be emailed or mailed to one or more of the addresses on the reverse side of the form.

The following Annexes are attached to support compliance with Civil Rights and Limited English Proficiency:

- Annex A - Reasonable Accommodation Process
- Annex B - Notice of Nondiscrimination - File A Complaint
- Annex C - Limited English Proficiency
- Annex D - Discrimination Complaint Process and Reporting

The State of Hawaii, Discriminate Complaint Form (Tab 1) is available for filing a complaint against the Office of Homeland Security for failure to provide services or discriminated on the basis of race, color, national origin (including language), disability, sex, or age.

TAB 2 is a sample of a form which will be incorporated into the grant program procedures for tracking complaints. This form becomes part of the official grant records. The information in this tab will be used to develop the annual report to the Department of Homeland Security.

Content in the Appendix and Annexes will be reviewed annually and updated as appropriate.

Civil Rights Compliance and Training

The Office of Homeland Security will use the Risk Assessment Form to monitor compliance with Civil Rights and training.

- In order to improve compliance with Civil Rights and Limited English Proficiency, the Office of Homeland Security is requiring that all sub recipients complete civil rights training annually.
- Training material links:
 - State and County Employee Training <https://humanservices.hawaii.gov/civil-rights-corner/>
 - Video: How to Better Serve Your LEP Audience by Meeting the Federal Requirements, Department of Justice, January 18, 2018 <https://digital.gov/event/2018/01/18/legal-obligations-practical-solutions-for-government-agencies-with-a-lep-audience/>
 - Video Know you LEP Population with the Language Map App, Department of Justice, July 24, 2017 <https://www.lep.gov/video/know-your-lep-population-language-map-app>
 - Video Training Series on Communicating Effectively with LEP Members of the Public <https://www.justice.gov/archives/opa/blog/communicating-persons-limited-english-skills-how-video>
 - Department of Justice Office of Justice Programs provides Online Training for Civil Rights and Limited English Proficiency <https://www.ojp.gov/program/civil-rights/video-training-grantees/overview>
- Sub recipients 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 assistance from FEMA.
- In accordance with civil rights laws and regulations, recipients and 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.

References

6 CFR Part 21, nondiscrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance from the DHS/FEMA.

Federal civil rights statutes, such as Section 308 of the Stafford Act, Section 504 of the Rehabilitation Act of 1973, and Title VI of the Civil Rights Act of 1964, Age Discrimination Act, 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.

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000), this CRCL Language Access Plan (plan) builds upon the DHS Language Access Plan released in February of 2012 by establishing a system within CRCL for improving access to Limited English Proficient (LEP) persons to the full range of CRCL’s programs, services, information, and activities (programs and activities).

Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color, or national origin.

- **Language Access:** National origin discrimination includes discrimination on the basis of Limited English Proficiency (LEP). Recipients must take reasonable steps to ensure that LEP persons have meaningful access to their programs and activities.
- **Environmental Justice:** Programs and activities that affect human health or the environment may not directly, or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin.

Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination based on sex in education programs and activities.

Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination solely on the basis of disability in programs or activities receiving federal financial assistance; and requires recipients to provide program access, physical access, effective communication, and reasonable accommodation for persons with disabilities to their programs and activities.

The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age.

Executive Order 13559, amending Executive Order 13279, and the DOJ implementing regulation, Partnerships with Faith-Based and Other Neighborhood Organizations, 28 C.F.R. Part 38 (prohibiting discrimination in federally-assisted social service programs based on religion in the delivery of services or benefits).

Title II of the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12132, and the implementing regulation at 28 C.F.R. § 35.171(a)(1)(i), (3)(i) (prohibiting discrimination based on disability both in employment and in the delivery of services or benefits).

Victims of Crime Act (VOCA) of 1984, as amended, 42 U.S.C. § 10604(e) and the regulation implementing the Victim of Crime Act Victim Assistance Program, 81 Fed. Reg. 44,515, 44,532 (July 8, 2016) (to be codified at 28 C.F.R. § 94.114) (prohibiting discrimination in programs funded under the statute, both in employment and in the delivery of services or benefits, based on race, color, national origin, sex, religion, and disability); and

Violence Against Women Act (VAWA) of 1994, as amended, 42 U.S.C. § 13925(b)(13) (prohibiting discrimination in programs either funded under the statute or administered by the Office on Violence Against Women, both in employment and in the delivery of services or benefits, based on actual or perceived race, color, national origin, sex, religion, disability, sexual orientation, and gender identity) (referring to the Safe Streets Act for enforcement).

For additional information please visit: <https://www.dhs.gov/office-civil-rights-and-civil-liberties>

State of Hawaii, Department of Labor and Industrial Relations Limited English Proficiency Plan, January 8, 2019

State of Hawaii Policies and Procedures, Discrimination/Harassment-Free Workplace Policy, October 15, 2013, revised November 16, 2016

ANNEXES:

Annex A - Reasonable Accommodation Process
Annex B - Notice of Nondiscrimination - File A Complaint
Annex C - Limited English Proficiency
Annex D - Discrimination Complaint Process and Reporting

TABS:

TAB 1 – State of Hawaii Discrimination Complaint Form
Tab 2 – Discrimination Complaint Log
Tab 3 – Special Accommodations Register
Tab 4 - Language Interpretation – Translation Services
Tab 5 – Title VI Discrimination, Investigation and Lawsuits

**ANNEX A - REASONABLE ACCOMMODATION PROCESS
to APPENDIX F: CIVIL RIGHTS AND LIMITED ENGLISH PROFICIENCY COMPLIANCE**

The ***Office of Homeland Security and its sub recipients*** are committed to providing individuals with disabilities an equal opportunity to participate in and benefit from the Homeland Security Grant Programs.

Individuals with disabilities or who have limited English proficiency may request reasonable accommodations from the Office of Homeland Security to participate in the Homeland Security, Emergency Management, Disaster and Non Disaster Grant Programs, meetings, trainings and exercises.

These typed requests may be included for homeland security activities such as participating in grant meeting, trainings, and exercises. This could include participating in procurement, contracting and investment and project development.

The ***Office of Homeland Security and its sub recipients*** will ensure all notices that announce activities will include a section for “Special Accommodations”. This section will include area for individual to identify the accommodations required. Request may also be submitted by email (the best method for contact):

Point of Contacts

Office of Homeland Security
Glen M. Badua
glen.m.badua@hawaii.gov

The Office of Homeland Security and its sub recipients will coordinate with the requestor to ensure the accommodations required can be met for the activity. If a sign language interpreter is requested, the Office of Homeland Security or the sub recipient will make the arrangements with local services. These services will be reimbursed under the grant program. Other requests may include:

- Providing on-site captioning;
- Producing alternate formats of print materials in braille, large print, or in an electronic format;
- Providing remote conference captioning services; or
- Furnishing a temporary ramp to access the dais or other areas with one or more stairs to ensure accessibility for individuals who have physical disabilities and may be using a wheelchair or walker.

For grant meetings and training other than English will require accommodations to be provided by an agency outside the Office of Homeland Security.

The Office of Homeland Security or its sub recipients will not collect personally identifiable information (PII) for grant activities.

Tab 3 provides a Special Accommodations Register for monitoring request for assistance/reasonable accommodation received by the Office of Homeland Security.

**ANNEX B - NOTICE OF NONDISCRIMINATION
to APPENDIX F: CIVIL RIGHTS AND LIMITED ENGLISH PROFICIENCY COMPLIANCE**

The **Office of Homeland Security** complies with Federal civil rights laws and is committed to providing its programs and services without discrimination in accordance with:

- *Title VI of the Civil Rights Act of 1964*, which prohibits discrimination based on **race, color, or national origin** (including **language**).
- *Section 504 of the Rehabilitation Act of 1973*, which prohibits discrimination based on **disability**.
- *Title IX of the Educations Amendments Act of 1972*, which prohibits discrimination based on **sex** in education programs or activities.
- *Age Discrimination Act of 1975*, which prohibits discrimination based on **age**.
- *U.S. Department of Homeland Security regulation 6 C.F.R. Part 19*, which prohibits discrimination based on **religion** in social service programs.

It is against the law for the **Office of Homeland Security** to retaliate against anyone who takes action to oppose discrimination, files a grievance, or participates in the investigation of a grievance in accordance with the above authorities.

TO FILE A COMPLAINT

An individual that thinks the **Office of Homeland Security or its sub recipients** have failed to provide the services above, or discriminated in another way based on race, color, national origin, including language, disability, sex, or age, may file a complaint in person or by mail or email to the Office of Homeland Security, the State Department of Labor and Industrial Relations and/or directly to the Office of Civil Right.

To file a complaint, the attached Discrimination Complaint Form is available or a pre-Complaint Questionnaire form may be downloaded at: <http://labor.hawaii.gov/hcrc/forms/>.

If assistance is required and to ensure the office of Homeland Security can communicate effectively with persons with disabilities and to provide access to programs and activities for persons with limited English proficiency the following services may be provided:

- free aids and services, such as qualified sign language interpreters and written information in other formats (large print, audio, accessible electronic formats, etc.)
- free language services, such as qualified foreign language interpreters and information written in other languages

A compliant should be filed with the Office of Homeland Security as soon as possible or within a reasonable time after the problem occurred.

A representative from the Office of Homeland Security will review and investigate your complaint and work with the complainant and the activity to resolve the problem using informal methods such as meetings and conferences.

Federal law forbids **Prohibition Against Retaliation** or reprisal by any Federal or State employee against a person who makes a complaint or discloses information to the Civil Rights Office. If you believe that you or someone else is a victim of such a reprisal, please contact the Civil Rights Office by phone at (808) 586-8636 or via email at DLIR.HCRC.INFOR@hawaii.gov.

In Hawaii

Individuals with disabilities and Personal Limited English Proficiency may request assistance by contacting:

Glen M. Badua
glen.m.badua@hawaii.gov
Office of Homeland Security

State of Hawaii

Office of Homeland Security (OHS)
3949 Diamond Head Road
Honolulu, Hawaii 96816
Phone: 808-369-3570

Hawaii Civil Rights Commission
830 Punchbowl Street, Room 411
Honolulu, Hawaii 96813
Phone: 808-586-8636 (Voice/TTD)
FAX: 808-586-8655
Email: dlir.hcrc.infor@hawaii.gov

Federal

CRCLCompliance@hq.dhs.gov
(best contact method)
U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528
FAX: 202-401-4708

ANNEX C - LIMITED ENGLISH PROFICIENCY
to APPENDIX F: CIVIL RIGHTS AND LIMITED ENGLISH PROFICIENCY COMPLIANCE

The State of Hawaii, Hawaii Revised Statutes Chapter 321C provides guidance for limited English proficiency, Language Access Law.

The Office of Language Access (OLA) provides oversight and central coordination to state agencies, (the executive, legislative and judicial branches of Hawai'i's state government) as well as technical assistance to state and covered entities, in developing and implementing their Language Access Plan as required by law. It also monitors and reviews state agencies for compliance and provides language access complaint resolution.

The Office of Homeland Security will provide support to any individual who does not speak English as their primary language and who have a limited ability to read, write, speak, or understand English in support of the Homeland Security. Such persons may be eligible to receive language assistance with respect to a particular service or benefit as a vendor or customer.

This tab covers five guidelines to help provide effective and meaningful access to limited English proficiency support.

1. IDENTIFYING LIMITED ENGLISH PROFICIENCY (LEP) INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

The Homeland Security Grant Program has not identified individuals who need language assistance in support of Homeland Security. However, the about one in four Hawaii residents speak a language other than English at home, which is higher than the U.S. average of 21 percent. For many, English is not their primary language, and they have only a limited ability to read, write, speak, or understand English. Language barriers often prohibit many residents from fully participating in our community and undermine efforts to become self-sufficient and productive.

The Office of Homeland Security will address the language access needs of limited English proficient persons and ensure meaningful access to services, programs, and activities offered by the Office for limited English proficient persons. The Office of Homeland Security have access to interpreters as well as Emergency Terminology handbook that supports the following languages:

Cebuano	Chinese	Chuukese
Hawaiian	Ilokano	Japanese
Korean	Kosraean	Laotian
Marshallese	Pohnpeian	Samoaan
Spanish	Tagalog	Thai
Tongan	Vietnamese	Yapese

2. LANGUAGE ASSISTANCE MEASURES AND AVAILABLE RESOURCES

The Office of Language Access administers statewide language access resources:

- a. Maintains available roster of language interpreters and translators, identifying qualification and credentials;
- b. Provides training for state agencies on how to effectively obtain and utilize the services of language interpreters and translators;
- c. Supports the recruitment and retention of language interpreters and translators'
- d. Provides, coordinates, and publicizes language interpreters and translators and further develops their language interpretation and translation skills; and
- e. Identifies/creates a process to test and certify language interpreters and translators.

3. TRAINING FOR THE OFFICE OF HOMELAND SECURITY AND SUBRECIPIENTS

The Office of Homeland Security will coordinate with the Office of Language Access for training related to the LEP policies. The purpose of the training will be to explain how staff can identify the language needs of an LEP individual, access and provide the necessary language assistance services, work with interpreters, request document translations, and track the use of language assistance services.

4. NOTICES TO THE OFFICE OF LANGUAGE ACCESS

Considering the relatively limited number of LEP for the Homeland Security Grant Programs it is necessary to limit language aid to the most basic and cost-effective services. Other than the previously mentioned vital documents, if there are additional language assistance measures required for LEP individuals, the Office of Homeland Security shall proceed with oral interpretation options to meet all requests for those language groups to ensure equal access while also complying with LEP regulations.

With advance notice, the Office of Homeland Security will provide interpreter services at public meetings, including language translation and signage for the hearing impaired. These services would be the responsibility of the Office of Homeland Security.

- The attached listing provides interpreter and translating services. These are third party providers and would be the responsibility of the requestor. A listing of interpreter and translator services is provided at Tab 4.
- The Office of Homeland Security notices and publications in languages other than English that interpreter services are available for public meetings.
- Encourage each sub recipient to obtain The Census Bureau "I-speak" Language Identification Card as they may potentially encounter LEP individuals.
- Once the LEP individual's language has been identified, an agency from the Translators Resource List will be contacted to provide interpretation services.
- Publications of the complaint form will be made available online and upon request.

- The Office of Homeland Security will seek training on the requirements for providing meaningful access to services for LEP persons.

In the event that a representative from the Office of Homeland Security or its sub recipients encounters a LEP individual, they will follow the procedure listed below:

➤ **OFFICE ENCOUNTER**

Provide Emergency Terminology handbook or an I-speak language identification card to determine the language spoken of the LEP individual.

Once the foreign language is determined, provide information to Title VI Coordinator who will contact an interpreter from MDOT's Translators Resource List. 3. If the need is for a document to be translated, the Title VI Coordinator will have the document translated and provided to the requestor as soon as possible.

➤ **IN WRITING**

Once a letter has been received it will be immediately forwarded to the Title VI Coordinator to determine the specifics of the letter request information.

The Title VI Coordinator will work with the Office of Homeland Security and its sub recipients to provide the requested service to the individual in a timely manner.

➤ **OVER THE PHONE**

If someone calls into our office speaking another language every attempt will be made to keep that individual on the line until an interpreter can be conferenced into the line and if possible, determine the language spoken of the caller. Once the language spoken by the caller has been identified, we will proceed with providing the requested assistance to the LEP individual.

When a LEP customer or a representative of a LEP customer needing oral translation services calls, the Office of Homeland Security will encourage the LEP customer to come into the office to provide the services necessary.

5. MONITORING, ASSESSING THIS Annex

This Appendix and Annex will be reviewed annually and updated as appropriate. The procedural manuals for the Office of Homeland Security Grant Program are reviewed and is provided annually to each sub recipient in book format and in media devise with other grant resources. The resources identified in TAB 4 will be reviewed and updated annually.

ANNEX D - DISCRIMINATION REPORTING
to APPENDIX F: CIVIL RIGHTS AND LIMITED ENGLISH PROFICIENCY COMPLIANCE

At the conclusion of the investigation, an investigative report will be drafted, and all parties notified of the outcome. A letter shall be issued summarizing the investigative findings, and whether or not there was a violation. If there were no finding, the parties will be informed of such and the case closed. In cases where there appears to be a violation, the parties shall be informed that appropriate action shall be taken to ensure the act(s) of discrimination stop. Complainants shall be notified of their right to pursue other avenues of recourse.

Internally, the Office of Homeland Security will emphasize civil rights procedures with its sub recipients for accepting and responding to discrimination complaints from sub recipients, customers, program participants, or consumers. The annual Risk Assessment and Monitoring Tools have been updated to include Civil Rights and Limited English Proficiency procedures are in place with each sub recipients for responding to discrimination complaints within their jurisdiction/ agency. The Discrimination Complaint Process will be reviewed annually at the grants award meeting conducted with sub recipients.

Annually, the Office of Homeland Security will report Title VI discrimination complaints, investigations, or lawsuits to the Department of Homeland Security.

Tab 5, Title VI Discrimination, Investigation, and Lawsuits identifies the categories for Department of Homeland Security reporting.

A representative from the Office of Homeland Security will review and investigate your complaint and work with the complainant and the activity to resolve the problem using informal methods such as meetings and conferences.

In Hawaii

Individuals with disabilities and Personal Limited English Proficiency may request assistance by contacting:

Glen M. Badua
glen.m.badua@hawaii.gov
Office of Homeland Security

State of Hawaii

Office of Homeland Security (OHS)
3949 Diamond Head Road
Honolulu, Hawaii 96816
Phone: 808-369-3570

Hawaii Civil Rights Commission
830 Punchbowl Street, Room 411
Honolulu, Hawaii 96813
Phone: 808-586-8636 (Voice/TTD)
FAX: 808-586-8655
Email: dlir.hcrc.infor@hawaii.gov

Federal

CRCLCompliance@hq.dhs.gov
(best contact method)
U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528
FAX: 202-401-4708

ANNEX C - LIMITED ENGLISH PROFICIENCY
to APPENDIX F: CIVIL RIGHTS AND LIMITED ENGLISH PROFICIENCY COMPLIANCE

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The Office of Homeland Security will provide support to any individual who does not speak English as their primary language and who have a limited ability to read, write, speak, or understand English in support of the Homeland Security. Such persons may be eligible to receive language assistance with respect to a particular service or benefit as a vendor or customer.

This tab covers five guidelines to help provide effective and meaningful access to limited English proficiency support.

1. IDENTIFYING LIMITED ENGLISH PROFICIENCY (LEP) INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

The Homeland Security Grant Program has not identified individuals who need language assistance in support of Homeland Security. However, the about one in four Hawaii residents speak a language other than English at home, which is higher than the U.S. average of 21 percent. For many, English is not their primary language, and they have only a limited ability to read, write, speak, or understand English. Language barriers often prohibit many residents from fully participating in our community and undermine efforts to become self-sufficient and productive.

The Office of Homeland Security will address the language access needs of limited English proficient persons and ensure meaningful access to services, programs, and activities offered by the Office for limited English proficient persons. The Office of Homeland Security have access to interpreters as well as Emergency Terminology handbook that supports the following languages:

Cebuano	Chinese	Chuukese
Hawaiian	Ilokano	Japanese
Korean	Kosraean	Laotian
Marshallese	Pohnpeian	Samoaan
Spanish	Tagalog	Thai
Tongan	Vietnamese	Yapese

2. LANGUAGE ASSISTANCE MEASURES AND AVAILABLE RESOURCES

The Office of Language Access administers statewide language access resources:

- a. Maintains available roster of language interpreters and translators, identifying qualification and credentials;

- b. Provides training for state agencies on how to effectively obtain and utilize the services of language interpreters and translators;
- c. Supports the recruitment and retention of language interpreters and translators'
- d. Provides, coordinates, and publicizes language interpreters and translators and further develops their language interpretation and translation skills; and
- e. Identifies/creates a process to test and certify language interpreters and translators.

3. TRAINING FOR THE OFFICE OF HOMELAND SECURITY AND SUBRECIPIENTS

The Office of Homeland Security will coordinate with the Office of Language Access for training related to the LEP policies. The purpose of the training will be to explain how staff can identify the language needs of an LEP individual, access and provide the necessary language assistance services, work with interpreters, request document translations, and track the use of language assistance services.

4. NOTICES TO THE OFFICE OF LANGUAGE ACCESS

Considering the relatively limited number of LEP for the Homeland Security Grant Programs it is necessary to limit language aid to the most basic and cost-effective services. Other than the previously mentioned vital documents, if there are additional language assistance measures required for LEP individuals, the Office of Homeland Security shall proceed with oral interpretation options to meet all requests for those language groups to ensure equal access while also complying with LEP regulations.

With advance notice, the Office of Homeland Security will provide interpreter services at public meetings, including language translation and signage for the hearing impaired. These services would be the responsibility of the Office of Homeland Security.

- The attached listing provides interpreter and translating services. These are third party providers and would be the responsibility of the requestor. A listing of interpreter and translator services is provided at Tab 4.
- The Office of Homeland Security notices and publications in languages other than English that interpreter services are available for public meetings.
- Encourage each sub recipient to obtain The Census Bureau "I-speak" Language Identification Card as they may potentially encounter LEP individuals.
- Once the LEP individual's language has been identified, an agency from the Translators Resource List will be contacted to provide interpretation services.
- Publications of the complaint form will be made available online and upon request.
- The Office of Homeland Security will seek training on the requirements for providing meaningful access to services for LEP persons.

In the event that a representative from the Office of Homeland Security or its sub recipients encounters a LEP individual, they will follow the procedure listed below:

➤ **OFFICE ENCOUNTER**

Provide Emergency Terminology handbook or an I-speak language identification card to determine the language spoken of the LEP individual.

Once the foreign language is determined, provide information to Title VI Coordinator who will contact an interpreter from MDOT's Translators Resource List. 3. If the need is for a document to be translated, the Title VI Coordinator will have the document translated and provided to the requestor as soon as possible.

➤ **IN WRITING**

Once a letter has been received it will be immediately forwarded to the Title VI Coordinator to determine the specifics of the letter request information.

The Title VI Coordinator will work with the Office of Homeland Security and its sub recipients to provide the requested service to the individual in a timely manner.

➤ **OVER THE PHONE**

If someone calls into our office speaking another language every attempt will be made to keep that individual on the line until an interpreter can be conferenced into the line and if possible, determine the language spoken of the caller. Once the language spoken by the caller has been identified, we will proceed with providing the requested assistance to the LEP individual.

When a LEP customer or a representative of a LEP customer needing oral translation services calls, the Office of Homeland Security will encourage the LEP customer to come into the office to provide the services necessary.

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to APPENDIX F: CIVIL RIGHTS AND LIMITED ENGLISH PROFICIENCY COMPLIANCE

At the conclusion of the investigation, an investigative report will be drafted, and all parties notified of the outcome. A letter shall be issued summarizing the investigative findings, and whether or not there was a violation. If there were no finding, the parties will be informed of such and the case closed. In cases where there appears to be a violation, the parties shall be informed that appropriate action shall be taken to ensure the act(s) of discrimination stop. Complainants shall be notified of their right to pursue other avenues of recourse.

Internally, the Office of Homeland Security will emphasize civil rights procedures with its sub recipients for accepting and responding to discrimination complaints from sub recipients, customers, program participants, or consumers. The annual Risk Assessment and Monitoring Tools have been updated to include Civil Rights and Limited English Proficiency procedures are in place with each sub recipients for responding to discrimination complaints within their jurisdiction/ agency. The Discrimination Complaint Process will be reviewed annually at the grants award meeting conducted with sub recipients.

Annually, the Office of Homeland Security will report Title VI discrimination complaints, investigations, or lawsuits to the Department of Homeland Security.

Tab 5, Title VI Discrimination, Investigation, and Lawsuits identifies the categories for Department of Homeland Security reporting.

COMPLAINANT INFORMATION

Last Name	First Name	Middle Name
Address and Phone	Job Title, Branch, Division	

ALLEGED OFFENDERS

Name	Job Title/Organization
Name	Job Title/Organization
Name	Job Title/Organization

BASIS OF COMPLAINT

Check box or boxes for applicable protected class.

<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> Sex/Gender	<input type="checkbox"/> Gender Identity or Expression	<input type="checkbox"/> Sexual Orientation	<input type="checkbox"/> Pregnancy
<input type="checkbox"/> Breastfeeding	<input type="checkbox"/> Religion	<input type="checkbox"/> National Origin	<input type="checkbox"/> Ancestry	<input type="checkbox"/> Age	<input type="checkbox"/> Disability
<input type="checkbox"/> Genetic Information	<input type="checkbox"/> Marital Status	<input type="checkbox"/> Arrest and Court Records	<input type="checkbox"/> Income Assignment for Child Support	<input type="checkbox"/> National Guard Absence	<input type="checkbox"/> Uniformed Service/Veteran's Status
<input type="checkbox"/> Citizenship	<input type="checkbox"/> Credit History or Credit Report	<input type="checkbox"/> Domestic or Sexual Violence Victim Status	<input type="checkbox"/> Retaliation	<input type="checkbox"/> Other (Specify)	

COMPLAINT SUMMARY

(Provide details of who, what, when, and where. Attach additional pages if needed.)

REQUESTED REMEDY

(Provide corrective action or remedies you are seeking.)

WITNESS INFORMATION

(Provide names and contact information for witnesses, if any. Attach additional pages if needed.)

Witness Name	Job Title/Organization/Phone
Witness Name	Job Title/Organization/Phone
Witness Name	Job Title/Organization/Phone

The information provided above is truthful and accurate to the best of my knowledge.

Complainant's Signature: _____ Date: _____

Complaint Received by: _____
Name, Title, Signature

Date: _____



OFFICE OF HOMELAND SECURITY
DISCRIMINATION COMPLAINTS LOG

DATE OF COMPLAINT	COMPLAINANT	REASON FOR COMPLAINT	ACTION TAKEN (identify actions who discussed with; dates)	RESOLUTION (if denied, identify why)



OFFICE OF HOMELAND SECURITY
SPECIAL ACCOMMODATIONS REGISTER

REQUESTOR	CONTRACT INFORMATION	REQUEST (identify actions who discussed with; dates)	NOTES/DISCUSSION (if denied, identify why)



Language Interpretation Translation Services

NAME	CONTACT	SERVICE
Academia Language School	http://www.academiaschool.com 808-946-5599	Interpretation and American Sign Language interpretation and translation
East-West Concepts, Inc.	http://www.eastwestconcepts.com 808-938-8410	Interpretation and translation
Hawaii Interpreting Services	http://www.interpretinghawaii.com 808-394-7706	Referral service for on-site and remote American Sign Language interpretation and captioning and Computer Assisted Note taking services for persons who are Deaf, hard of hearing and Deaf-Blind
Helping Hands Hawaii Bilingual Access Line	http://helpinghandshawaii.org/programs/bilingual-access-line/ 808-526-9724	Interpretation and translation
Isle Interpret	http://www.isleinterpret.com 808-445-9125	Referral service for on-site and remote American Sign Language interpretation and captioning and Computer Assisted Note taking services for persons who are Deaf, hard of hearing and Deaf-Blind
Language Line Solutions	http://languageline.com 800-752-6096	On-site/on-demand personal interpretation and translation services
Language Services Hawaii, LLC	http://languageserviceshawaii.com 808-892-3446	Interpretation and translation
LifeLinks	http://www.lifelinks.net 888-465-4325	Telephone and video interpretation services for American Sign Language and other languages
Pacific Gateway Center-Hawaii Language Bank	http://www.pacificgatewaycenter.org/portal/services/tabid/56/default.aspx 808-851-7010	Oral interpretation Written translation
Silver Bridges Translation International	http://www.silverbridges.com 808-531-1073	Interpretation and translation
Hawaii State Judiciary (list of Court Interpreters)	https://www.courts.state.hi.us/wp-content/uploads/2017/01/interpreters.pdf 808-539-4860	Oral interpretation
Hawaii Interpreters and Translators Association	http://www.hawaiitranslators.com Phone numbers for respective interpreters/Translators listed in each language found in the site	Oral interpretation Written translation



OFFICE OF HOMELAND SECURITY

Title VI Discrimination Complaints, Investigations, Lawsuits

Description/Name	Date of Complaint	Summary of the Complaint	Status	Action(s) Taken Final Finding
Investigations				
Lawsuits				
Complaints				



Office of Homeland Security Grants Management Office

This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. This Procedural Manual is to be used to assist in the management of the Homeland Security Programs. Points of reference for this manual are extracted from Notice of Funding Opportunity and related references. Some policies are stricter than the policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security.

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Hawaii Homeland Security Training Opportunities:
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