Approval Authority Meeting
Thursday, May 12, 2016
10:00 a.m.

Location
Alameda County Sheriff's Office OES
4985 Broder Blvd., Dublin, CA 94568
OES Assembly Room

Agenda

1. **ELECTION OF CHAIR PRO TEM (**Action)
   Due to the scheduled absence of the Chair and Vice-Chair, members will vote on the selection of a Chair Pro Tem for today's meeting.

2. **CALL TO ORDER**
   ROLL CALL

UASI Chair	Anne Kronenberg, City and County of San Francisco
UASI Vice-Chair	Rich Lucia, County of Alameda
Member	Raemona Williams, City and County of San Francisco
Member	Cathey Eide, City of Oakland
Member	Ryan Broughton, City of San Jose
Member	Ken Kehmna, County of Santa Clara
Member	Mike Casten, County of Contra Costa
Member	Bob Doyle, County of Marin
Member	Sherrie L. Collins, County of Monterey
Member	Carlos Bolanos, County of San Mateo
Member	Al Terrell, County of Sonoma
General Manager	Craig Dziedzic

3. **APPROVAL OF THE MINUTES** (Discussion, Possible Action)
   Discussion and possible action to approve the draft minutes from the April 14, 2016 regular meeting or take any other action related to the matter. *(Document for this item includes draft minutes from April 14, 2016.) 5 mins*

4. **GENERAL MANAGER'S REPORT** (Discussion, Possible Action)
   General Manager Craig Dziedzic will present the General Manager's Report:

   a) FY 2015-2016 Bay Area UASI Annual Report
   b) Management Team Organization Chart and Annual Work Plans
   c) FY 2016-2017 Management Team Budget
   d) Management Team Tracking Tool and Future Agenda Items

   (*Documents for this item are a report, the Bay Area UASI Annual Report, the Management Team Organization Chart and Annual Work Plans, the FY2016-2017 Management Team Budget, and the Tracking Tool from Craig Dziedzic.) 5 mins*

5. **CONTROLLED EQUIPMENT REQUIREMENTS** (Discussion)
   Regional Grants and Compliance Manager Mary Landers will present on *Information Bulletin 407: Use of Grant Funds for Controlled Equipment*. (*Documents for this item are a report, a PowerPoint, and 5 appendices from Mary Landers.) 5 mins*

6. **FY16 PROPOSAL PROCESS LESSONS LEARNED** (Discussion)
   Assistant General Manager Catherine Spaulding will present on the lessons learned from the FY16 Proposal Process. (*Document for this item is a report from Catherine Spaulding.)*

7. **RISK MANAGEMENT PROGRAM – UPDATE ON VHEMPS** (Discussion)
   Assistant General Manager Catherine Spaulding will present an update on the VHEMP policy. (*Document for this item is a report from Catherine Spaulding.) 5 mins*

8. **CAL COP AND WEB EOC UPDATES** (Discussion)
   Statewide Cal COP Administrator Dave Frazer and Web EOC Administrator Woody Baker-Cohen will present updates on the Cal COP and Web EOC integration. (*Documents for this item are a report and 3 appendices from Dave Frazer and Woody Baker-Cohen.) 5 mins*

9. **MUTUALINK – SUPER BOWL PROOF OF CONCEPT** (Discussion)
   Project Manager Corey Reynolds will present on the Mutualink Super Bowl Proof of Concept. (*Documents for this item are a report, a PowerPoint, and an appendix from Corey Reynolds.) 5 mins*

10. **REALLOCATION OF GRANT FUNDS** (Discussion)
    Chief Financial Officer Tristan Levardo will provide an update on reallocation of grant funds for the Bay Area UASI. *(Documents for this item are a report and an appendix from Tristan Levardo.) 5 mins*

11. **ANNOUNCEMENTS-GOOD OF THE ORDER**

12. **GENERAL PUBLIC COMMENT**
    Members of the Public may address the Approval Authority for up to three minutes on items within the jurisdiction of the Bay Area UASI Approval Authority.

13. **ADJOURNMENT**

If any materials related to an item on this agenda have been distributed to the Approval Authority members after distribution of the agenda packet, those materials are available for public inspection at the Bay Area UASI Management Office located at 711 Van Ness Avenue, Suite 420, San Francisco, CA 94102 during normal office hours, 8:00 a.m. - 5:00 p.m.

Public Participation:

It is the policy of the Approval Authority to encourage and permit public participation and comment on matters within the Approval Authority's jurisdiction, as follows.

- *Public Comment on Agenda Items*. The Approval Authority will take public comment on each item on the agenda. The Approval Authority will take public comment on an action item before the Approval Authority takes action on that item. Persons addressing the Approval Authority on an agenda item shall confine their remarks to the particular agenda item. For each agenda item, each member of the public may address the Approval Authority once, for up to three minutes. The Chair may limit the public comment on an agenda item to less than three minutes per speaker, based on the nature of the agenda item, the number of anticipated speakers for that item, and the number and anticipated duration of other agenda items.
- *General Public Comment*. The Approval Authority shall include general public *comment* as an agenda item at each meeting of the Approval Authority. During general public comment, each member of the public may address the Approval Authority on matters within the Approval Authority's jurisdiction. Issues discussed during general public comment must not appear elsewhere on the agenda for that meeting. Each member of the public may address the Approval Authority once during general public comment, for up to three minutes. The Chair may limit the total general public comment to 30 minutes and may limit the time allocated to each speaker depending on the number of speakers during general public comment and the number and anticipated duration of agenda items.
- *Speaker Identification*. Individuals making public comment may be requested, but not required, to identify themselves and whom they represent.
- *Designated Public Comment Area*. Members of the public wishing to address the Approval Authority must speak from the public comment area.
- *Comment, Not Debate*. During public comment, speakers shall address their remarks to the Approval Authority as a whole and not to individual Approval Authority representatives, the General Manager or Management Team members, or the audience. Approval Authority Representatives and other persons are not required to respond to questions from a speaker. Approval Authority Representatives shall not enter into debate or discussion with speakers during public comment, although Approval Authority Representatives may question speakers to obtain clarification. Approval Authority Representatives may ask the General Manager to investigate an

issue raised during public comment and later report to the Approval Authority. The lack of a response by the Approval Authority to public comment does not necessarily constitute agreement with or support of comments made during public comment.

- *Speaker Conduct.* The Approval Authority will not tolerate disruptive conduct by individuals making public comment. Speakers who use profanity or engage in yelling, screaming, or other disruptive behavior will be directed to cease that conduct and may be asked to leave the meeting room.

Disability Access

The UASI Approval Authority will hold its meeting at the Alameda County Sheriff's Office OES located at 4985 Broder Blvd. in Dublin, CA 94568.

In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the UASI Administrative Assistant, at least 24 hours prior to the meeting at (415) 353-5223.

Bay Area UASI Program
Approval Authority Meeting
Thursday, April 14, 2016
10:00 AM

LOCATION
Alameda County Sheriff's Office OES
4985 Broder Blvd., Dublin, CA 94568
OES Assembly Room

REGULAR MEETING MINUTES
DRAFT

1. Roll Call

UASI Chair Anne Kronenberg called the meeting to order at 10:00 AM and General Manager Craig Dziedzic subsequently took the roll. Vice Chair Rich Lucia and Members Raemona Williams, Cathey Eide, Ken Kehmna, Mike Casten, Sherrie Collins, and Al Terrell were present. Members Bob Doyle and Carlos Bolanos were absent, but their alternates, respectively Dave Augustus and Alma Zamora, were present. Member Ryan Broughton was absent.

2. Approval of the Minutes

Chair Kronenberg asked for any comments or questions concerning the minutes from the March 10, 2016 meeting. Seeing none, she requested a motion to approve the minutes.

Motion: Approve the minutes from the March 10, 2016 Approval Authority Meeting

Moved: Vice Chair Lucia **Seconded:** Member Williams

Vote: The motion was passed unanimously.

3. General Manager's Report

(a) California Coalition of UASIs Meeting Update

General Manager Craig Dziedzic reported that the Coalition of California UASIs met in Los Angeles to discuss ongoing funding for the statewide risk management program, best practices, and grant compliance matters with Cal OES. At the meeting, the BAUASI demonstrated the successful integration of Cal COP and WebEOC as well as our cleanup project of the asset catalog. He reported that all of the California UASIs are committed to the statewide risk management program.

On March 17th, Cal OES Director Mark Ghilarducci held a conference call with the California UASIs to discuss the importance of working with the UASIs to build a sustainable program and to develop capabilities that focus on new threats such as countering violent extremism and cyberattacks. Mr. Dziedzic reported that Director Ghilarducci committed to supporting the statewide risk management program using UASI FY 2015 and 2016 grant retention funds.

(b) Preventive Radiological Nuclear Detection Focus Group Update

Mr. Dziedzic reported that on March 25th, the Bay Area UASI Preventive Rad/Nuc Detection Focus Group held a stakeholder meeting. The group discussed training/exercises, the development of a sustainment strategy for the upcoming year, and the drafting of policies and procedures, including updated standard operating procedures to align with the maritime community. The stakeholder group included the FBI WMD Coordinator and the Law Enforcement Liaison from the DNDO, who facilitated the distribution of surplus PRND detectors to the Bay Area UASI region. The PRND Focus group plans to meet quarterly.

(c) Approval Authority Meeting Calendar

Mr. Dziedzic announced that the September 8, 2016 Approval Authority meeting will be canceled since Urban Shield's Yellow Command exercise will occur on that day and a number of regional EOCs are participating in the exercise, as well as the Management Team and Approval Authority Members.

(d) Management Team Tracking Tool and Future Agenda Items

There were no additions to the Tracking Tool.

4. FEMA Regional Administrator Introduction

Chair Kronenberg introduced Bob Fenton, the recently appointed FEMA Region IX Administrator.

Mr. Fenton gave a brief history of his work experience at FEMA, which included 13 years in Region IX in Oakland, and 6 years in FEMA's Response and Recovery Unit at FEMA Headquarters. He explained that his focus for the Bay Area is to build the capabilities to effectively respond to all hazards using a survivor-centric approach and working with the whole community for all hazards disaster planning. The recent results of this type of planning are the FEMA Bay Area Earthquake Plan and the Medical Countermeasures Plan.

Mr. Fenton highlighted some of the initiatives coming down through FEMA Headquarters, most notably reengineering the processes of the public assistance grant program to make it more effective. The public assistance grant program is issued following a disaster for damage and infrastructure.

Mr. Fenton showed a video highlighting the FEMA Bay Area Earthquake Plan and subsequently fielded questions from the Board. Following a discussion, Mr. Fenton thanked the Board for the opportunity to introduce himself and to outline his goals for FEMA Region IX.

5. Regional Large Special Events Concept of Operations Project Close-Out

Regional Program Manager Janell Myhre presented the close-out of the Regional Large Special Events Concept of Operations. Highlights of her presentation include the Large Special Event Concept of Operations Template and Planning Guide, both of which are available on the Bay Area UASI website.

Members thanked Ms. Myhre and Corinne Bartshire for their work on this project and expressed appreciation for the availability of the templates.

6. Sonoma County Aerial Intelligence and Communications Systems Project

Sonoma County Sheriff's Sergeant Peter Quartarolo and UASI North Bay Program Manager Brendan Kearney presented on the Sonoma County Aerial Intelligence and Communications Equipment for use on Henry 1, a Sonoma County Sheriff's helicopter that will be operational in the summer of 2017. At the time of the North Bay Hub meeting, Hub members prioritized the communications portion of the project as number one below the line and requested that the FLIR camera portion of the project be considered as a regional project.

Sergeant Quartarolo presented the history of the Multi-Mission Regional Rescue Helicopter Unit and highlighted some statistics, which include 70-100 rescue calls per year, with 64 persons rescued in FY14-15. Henry 1 will be a twin engine helicopter with the benefits of increased safety, speed, range, and capabilities.

Sergeant Quartarolo fielded questions from the Board and Members discussed the history of purchasing similar equipment with regional funds as well as the already available helicopters equipped with FLIR cameras. After much discussion, Member Casten made a motion.

Motion: Place the Sonoma County Aerial Intelligence portion of the project, a requested allocation of $649,875, at the top of the priority list, should additional FY16 funding become available at a later date

Moved: Member Casten **Seconded:** Member Terrell

Public Comment: Two members of the public commented after the motion was made and before the vote occurred. The first person commented about the utility of this resource including the staff expertise that Henry 1 brings along with it. The second person commented on the process of determining what qualifies as a regional project, and suggested that the Approval Authority develop guidelines about the criteria.

Vote:

Kronenberg	No	**Casten**	Yes
Lucia	Yes	**Augustus**	Yes
Williams	No	**Collins**	No
Eide	No	**Zamora**	Yes
Kehmna	No	**Terrell**	Yes

The vote was split 5-5 and the motion failed.

Chair Kronenberg encouraged the Approval Authority to revisit the criteria for regional projects and give guidance to the Management Team.

7. FY 16 UASI Hub Projects

Assistant General Manager Catherine Spaulding presented the list of hub-selected projects for the FY16 grant cycle and guided the Board through the PowerPoint slides. The Management Team seeks approval from the Board for this list of hub projects to be funded in order of priority per funding available. Projects will be funded at the hub level using the allocation amount and hub funding formula approved by the Approval Authority. She announced that in the May meeting, the Management Team will present on lessons learned from the FY16 process.

Motion: Approve the proposed FY 16 UASI Hub Projects

Moved: Member Eide **Seconded:** Member Kehmna

A member of the public commented after the motion and before the vote about one project in particular, an armored tactical van requested by the City of Berkeley.

Vote: The motion was passed unanimously.

8. FY 16 UASI Regional Projects – Level Two

Assistant General Manager Catherine Spaulding presented the Level Two regional projects for consideration. The first project is the Continuation of the Regional Joint Information System (JIS), submitted by the San Francisco Department of Emergency Management on behalf of the Regional JIS Steering Committee with a requested allocation of $150,000. The second project is the Regional WebEOC Fusion with CalEOC, submitted by Marin County OES with a requested allocation of $60,000.

Regional Program Manager Janell Myhre elaborated on the projects and fielded questions from the Board.

Motion: Approve the proposed FY 16 UASI regional Level Two projects

Moved: Member Collins **Seconded:** Vice Chair Lucia

Vote: The motion was passed unanimously.

9. FY 16 UASI Allocations

Assistant General Manager Catherine Spaulding presented the proposed FY16 Bay Area UASI grant allocations. The FY16 total allocation is $28,036,000, a decrease of approximately 1% from the FY15 allocation. The total allocation is broken up into Core Cities, regional projects, hub projects, and the Management Team. The proposed allocations are as follows: $3,000,000 to the Core Cities; $10,738,048 to the regional projects; $5,382,272 to the hub projects; and $3,308,480 to the Management Team. The state exercised a 20% holdback resulting in $5,607,200 being withheld.

Ms. Spaulding presented the hub allocations which are based on the risk allocation percentage approved by the Board in the March 2016 meeting. The hub allocations are as follows: $1,306,127 to the East Bay Hub; $440,410 to the North Bay Hub; $1,329,007 to the South Bay Hub; and $2,306,729 to the West Bay Hub.

Ms. Spaulding fielded questions from the Board.

Motion: Approve the proposed FY16 Bay Area UASI grant allocations

Moved: Member Eide **Seconded:** Alternate Augustus

Vote: The motion was passed unanimously.

10. 2016 THIRA Process

Assistant General Manager Catherine Spaulding presented on the 2016 THIRA process. She reported that we are not currently anticipating any significant changes or new requirements from FEMA on completing the THIRA this year, although we will know more when they release their annual guidance on this topic in the coming months. She encouraged participation in next week's THIRA Kickoff and Scenario Workshop and announced that the THIRA will be presented to the Board for approval in November and submitted to DHS/FEMA in December.

11. BayRICS JPA Quarterly Report

BayRICS General Manager Barry Fraser presented the quarterly report for the BayRICS JPA. Highlights include an updated FirstNet timeline, an updated regional fleetmap, and discussion about the role of encryption in public safety interoperability networks.

12. UASI Travel Expenditures

Chief Financial Officer Tristan Levardo presented a report on the Bay Area UASI travel expenditures for the period of October 1, 2015 to March 31, 2016. The individual expenditures are listed in the report.

13. Announcements – Good of the Order

There were no announcements.

14. General Public Comment

There were no comments from the public.

15. Adjournment

The meeting adjourned at 11:57 AM.

To: **Bay Area UASI Approval Authority**

From: **Craig Dziedzic, General Manager**

Date: **May 12, 2016**

Re: **Item 4: General Manager's Report**

Staff Recommendations:

Staff recommends approving the Management Team Organization Chart, Annual Work Plans, and FY 2016-2017 Management Team Proposed Budget.

Action or Discussion Items:

(a) FY 2015-2016 Bay Area UASI Annual Report (Discussion Only)
(b) Management Team Organization Chart and Annual Work Plans (Action)
(c) FY 2016-2017 Management Team Budget (Action)
(d) Management Team Tracking Tool and Future Agenda Items (Discussion Only)

Background:

In accordance with the 2013 Master MOU and corresponding By-laws for the Bay Area UASI, the attached Management Team Organization and Annual Work Plans, together with the FY 2016/17 UASI Proposed Budget. The 2015-2016 Bay Area UASI Annual Report is submitted for review.

Discussion:

(a) 2015-2016 Bay Area UASI Annual Report (attached as Appendix A)

Highlights of our accomplishments include the following;

(1) Increased capability in planning for large scale events;
(2) FEMA and Statewide recognition for innovative practices; and
(3) Updated website and a new online grants management system

(b) Management Team Organizational Chart (attached as Appendix B)

The Organization Team is divided into three components based upon functionality (i.e., project planning, grants management, and administration). As indicated on the chart, each of the components are divided into staff and described as following: (a) assignments/responsibilities; (b) contract vs employee status; (c) salaries; (d) jurisdiction; and (e) vacancies.

Annual Work Plans (attached as Appendix C)
The annual work plan aligns the Management Team's activities with the Bay Area Homeland Security Strategy ("Strategy") for enhancing regional capabilities to reduce the risk of terrorism. The objectives of the Strategy are as follows:

- Prevent and disrupt terrorist attacks;
- Protect the people of the Bay Area; its critical infrastructure and key resources;
- Respond to and recover from major incidents and all hazards that do occur;
- Continue to strengthen our preparedness foundation to ensure our long-term success;
- Guide future investments, increase capabilities and reduce risk.

The annual work plan also implements the abovementioned Strategy with eight (8) goals ("Goals"):

Goal 1 - Develop a Regional Risk management and Planning Program
Goal 2 - Enhance Information Analysis and Infrastructure Protective Capabilities.
Goal 3 - Strengthen Communications and Interoperable Communications.
Goal 4 - Strengthen CBRNE Detection, Response, and Decontamination capabilities.
Goal 5 - Enhance Medical, Public Health and Mass Care Preparedness.
Goal 6 - Strengthen Planning and Citizen Preparedness capabilities.
Goal 7 - Enhance Recovery Capabilities.
Goal 8 - Enhance Homeland Security Exercise, Evaluation and Training Programs.

(c) Budget or Fiscal Impact (attached as Appendix D)

The FY2016/17 UASI Management Team proposed budget lists the revenue sources from two grants (FY2015 UASI and FY2016 UASI) in the amount of $3,603,461, which is a slight decrease in personnel costs as compared to last year.

(d) Management Team Tracking Tool and Future Agenda Items

Attached as Appendix E is the Management Team Tracking Tool. Members may submit future agenda items to the General Manager.

Bay Area UASI

Annual Report

FY 2015-2016

Bay Area Urban Areas Security Initiative

Approval Authority Members

Chair
Anne Kronenberg
Executive Director
City & County of San Francisco
Dept. of Emergency Management

Vice Chair
Richard T. Lucia
Undersheriff
Alameda County Sheriff's Office

Carlos Bolanos
Undersheriff
San Mateo County Sheriff's Office

Ryan Broughton
Director
Office of Emergency Services
City Of San Jose

Mike Casten
Undersheriff
Contra Costa County Sheriff's Office

Sherrie Collins
Emergency Services Manager
Office of Emergency Services
Monterey County

Robert Doyle
Sheriff
Marin County Sheriff's Office

Cathey Eide
Emergency Services Manager
City of Oakland

Raemona Williams
Deputy Chief of Administration
San Francisco Fire Department

Ken Kehmna
Fire Chief
Santa Clara County

Al Terrell
Fire Chief
Sonoma County

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For more information on Bay Area UASI, visit our website at www.bayareauasi.org.

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General Manager's Letter

This year, the Bay Area UASI delivered a number of successful projects that enhanced regional homeland security capabilities, particularly as we prepared for large scale events such as Super Bowl 50 and the Golden State Warriors' NBA Championship parade.

The Bay Area's nationally renowned annual Urban Shield exercise involved more than 200 public/private sector partners and 4000 volunteers. Over 50 full scale exercise scenarios and hundreds of first responders were deployed throughout the region. The Yellow Command scenario tested real time situational awareness between on-scene first responders and 20 participating Emergency Operations Centers. In preparation for Super Bowl 50, a full-scale evacuation drill using 500 volunteers, was held at Levi's Stadium. A Large Scale Event Concept of Operations plan template was successfully developed and used to plan for Super Bowl 50 game day.

This year, we are proud to report that several of our accomplishments received state and federal recognition. At the state level, our "Just in Time" EOC training video series, produced by the Regional Catastrophic Planning Team, received the California Emergency Services Association's state level Gold Award for exceptional efforts in the field of emergency management. At the federal level, FEMA included a number of Bay Area projects in a case study of innovative practices. Upon approval by the White House, these practices will appear in the 2016 National Preparedness Report and be featured on the FEMA.gov website.

Our fiscal team continued its excellent work by successfully monitoring 18 jurisdictions and processing over $23.7 million dollars in expenditures. To enhance efficiency and effectiveness, our administrative staff updated our UASI website and added a new online grant management system featuring processes for submitting grant applications and invoices.

These are just a few of the accomplishments we are proud to share with you in this year's Annual Report. Many thanks to the UASI Management Team's hard-working staff, the subject matter experts in our working groups, and the leadership of our Approval Authority members. Our region's continued collaboration demonstrate a commitment to build capabilities and close critical gaps that pose a threat to the safety of our communities and the security of the Bay Area region.

Craig Dziedzic

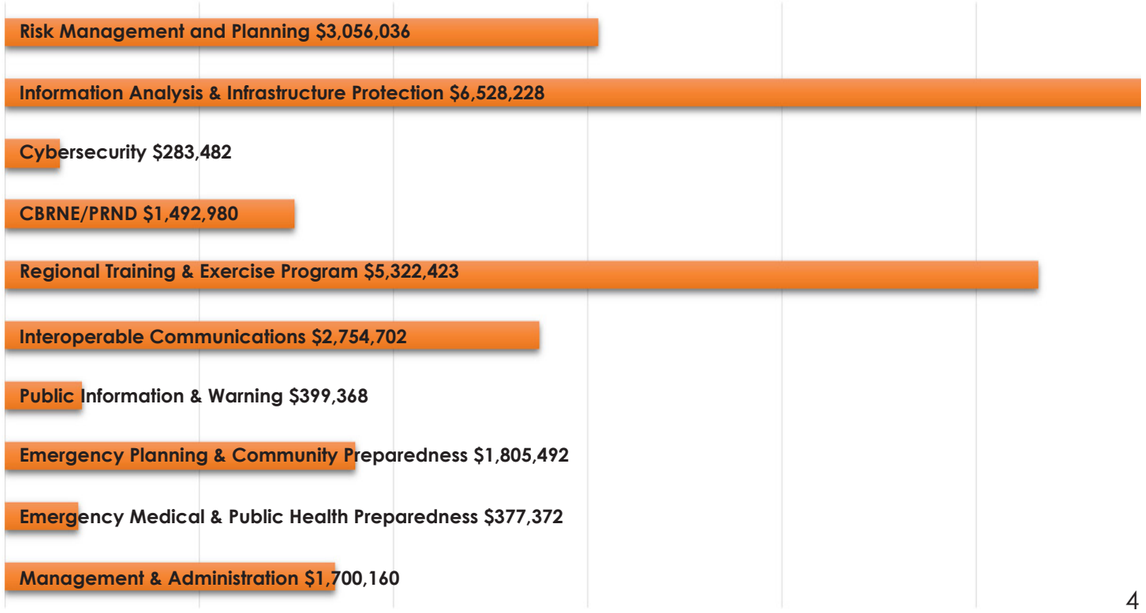
Our Mission

Prevent, protect against, mitigate, respond to, and recover from terrorist incidents and catastrophic events.

Our Region

- **Over 16 million visitors per year**
- **Total population exceeding 8.2 million residents**
- **More than 100 incorporated cities**
- **3 major international airports**
- **7 professional sports teams**
- **20th largest economy worldwide**

Expenditures



Risk Management & Planning

Coordinating efforts to provide security

Our Risk Management and Planning program identifies and catalogs threats to critical infrastructure and key resources, calculates the region's ability to counter those threats, and provides a risk-based methodology for prioritizing future investments.

Proactive and coordinated planning efforts are necessary to strengthen and maintain secure, functioning, and resilient critical systems that are vital to public confidence and the region's safety, prosperity, and well-being. To guide the Bay Area UASI in its efforts to identify critical capability gaps, sophisticated risk management technology is utilized to determine priority capability objectives for regional investments.

- **Developed large scale event concept of operations; provided operational support during Super Bowl 50**
- **Updated and prioritized over 15,000 Critical Infrastructure and Key Resource assets.**
- **Completed the Threat and Hazard Identification and Risk Assessment (THIRA) utilizing regional subject matter experts.**

Information Analysis & Infrastructure Protection

Connecting the dots

The Information Sharing & Infrastructure Protection Program collects and disseminates pertinent threat and criminal activity data across traditional jurisdictional boundaries to enhance regional capabilities.

The Bay Area UASI has developed a number of information sharing projects designed to identify and mitigate future attacks on critical infrastructure and key resources, including: assigning local representatives to the region's fusion center, investing in statewide common operating picture technology used by all eight California UASIs, and developing and adopting policies and procedures to integrate systems between, local, state, and federal partners.

- **Synchronized WebEOC and Cal COP at the Super Bowl's Multi-Agency Command Center.**
- **Conducted 28 suspicious activity reporting courses for over 1100 public safety officials.**
- **Selected as a FEMA case study highlighting Bay Area initiatives (scheduled to be featured in the 2016 National Preparedness Report).**
- **Enhanced law enforcement agencies ability to share criminal activity & terrorist information across jurisdictional boundaries.**

Cybersecurity

Reducing the threat

Today's critical infrastructure is increasingly dependent on networks and systems that are vulnerable to cyberattack. Cyber threats are not bound by geographic locations and malicious actors are becoming increasingly adept and sophisticated at exploiting vulnerabilities. The region's Cyber Security program focuses on reducing the risk and mitigating the impacts of an inevitable attack.

Through collaborative partnerships between public safety agencies, the Northern California Regional Intelligence Center (NCRIC) and its team of cyber analysts conduct vulnerability assessments, penetration testing, and prevention training to address this regional threat.

- **Conducted cyber defense vulnerability testing for regional government agencies.**
- **Created and staffed a Digital Forensic Evidence Lab at the Northern California Regional Intelligence Center- handled 140 cases in 2015.**
- **Provided cyber threat monitoring support for large scale events.**
- **Delivered presentations and briefings at numerous statewide and national conferences.**

CBRNE/ PRND

Preparing our first responders

The Chemical, Biological, Radiological, Nuclear and Explosives (CBRNE) Program builds regional capabilities in response to the threat of toxic industrial chemicals or biological agents. Our Preventive Radiological/Nuclear Detection (PRND) Program leads efforts to ensure that radiological and nuclear materials or explosives are not used as weapons of mass destruction.

The Bay Area UASI has conducted regional gap analyses and assessments to guide the purchase of specialized hazardous materials detection and biological response equipment. The development of regional policies and procedures and the purchase of this specialized detection equipment for law enforcement and explosive ordnance hazardous materials teams enhances the PRND program.

- **Utilized UASI-funded CBRNE equipment including portable Radiological Isotope Identification Devices (RIID) during Super Bowl 50.**

- **Participated in Bay Ferry IV, a full scale regional maritime preparedness exercise.**
- **Aligned Preventive Nuclear Detection Program & Area Maritime Security Committee concept of operations.**

Regional Training & Exercise Program

Honor the past, train for the future

The Regional Training and Exercise program tests, evaluates, and enhances the proficiency of the Bay Area's first responders. Our Multi-Year Training and Exercise Plan addresses regional goals and promotes training and exercise opportunities for the emergency response workforce.

We also proudly support Urban Shield, the region's nationally renowned full scale exercise, featuring real life scenarios that test the capabilities of Police, Fire, EMS, Public Health, and Emergency Management.

Conducted the 9th annual Urban Shield with over 5,400 participants and 58 scenarios.

URBAN SHIELD

Conducted 139 Classes and trained over 4,400 students.

Interoperable Communications

Loud and Clear

When first responders cross jurisdictional boundaries, we want to make sure they're equipped to talk to each other. That's the job of the regional Interoperable Working Group and the BayRICS Joint Powers Authority.

We have developed regional policies and procedures to ensure our first responders have standardized, interoperable equipment. The Bay Area UASI also made investments in compatible infrastructure and handheld devices, and leveraged funding to support regional governance and planning. We're also incorporating technological advancements such as broadband to support advanced emergency communications.

- **Directed key management resources towards the development of FirstNet, a dedicated public safety broadband network.**

- **Provided interoperable radios to our first responders, and tested regional capability during the Urban Shield exercise.**

Public Information & Warning

Alerts on the go

Public Information & Warning Systems deliver prompt, clear, specific, accurate, and actionable emergency messages to the public. Local government officials utilize mass notifications to disseminate public safety bulletins and warnings in an efficient and effective manner.

The Bay Area UASI leveraged a regional emergency public information and warning strategic plan that includes recommendations for the crafting and dissemination of important information to the public. Additionally, virtual software tools, simulated news, and social media feeds, were used to train our Public Information Officers and Emergency Managersas they develop and deliver these messages.

- **Conducted Joint Information System training for Public Information Officers to improve communication techniques and skills.**

- **Launched a mass notification system under a master multi-jurisdictional contract.**

Emergency Planning & Community Preparedness

Incorporating the whole community

The Emergency Planning and Community Preparedness Program develops plans to manage and mitigate the effects of large-scale disasters throughout the Bay Area. Prepared communities help prevent or minimize the loss or damage to life, property, and the environment. Working collaboratively, Bay Area jurisdictions have developed comprehensive regional plans to identify gaps, prioritize needs, and leverage resources to foster greater resiliency.

The Bay Area Regional Catastrophic Planning Team utilizes a "whole community" approach to enhancing regional capabilities. By developing public/private partnerships and alliances, providing toolkits and templates, and conducting trainings for emergency management officials, the program has increased the region's ability to manage adversity.

- **UASI-funded Emergency Manager Mutual Aid (EMMA) plan used to deploy OES personnel during Valley Fire**

- **Received the 2015 Gold Award from the California Emergency Services Association for the "Just in Time" EOC video training series**
- **Vetted the Large Scale Events Concept of Operations Plan template during Yellow Command- used during Super Bowl 50**

Emergency Medical & Public Health Preparedness

Protecting Community Health

Emergency Medical and Public Health Preparedness provides planning for lifesaving medical treatment and public health support and our regional partnerships with the Medical Working Groups and Public Health Associations strengthen response capabilities.

Our working group collaboratively plans for mass vaccinations during a medical or public health emergency. They developed a website and training materials to provide regional support for Public Health entities. Through Multi-agency Mutual Aid agreements, planning and coordination between hospitals, and access to specialized medical equipment, response capabilities to public health emergencies have been enhanced.

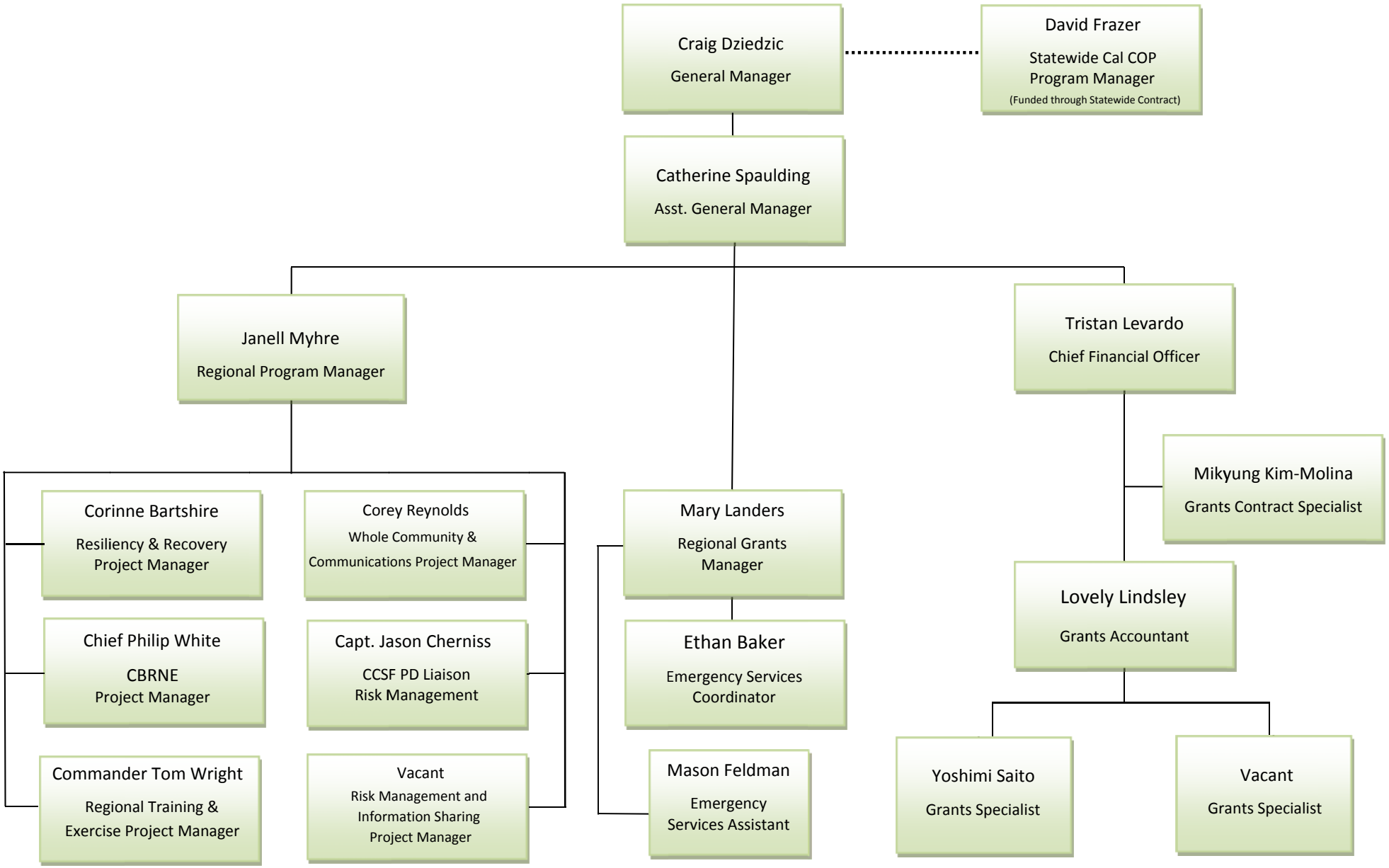
- **Invested in specialized operational equipment including rapid DNA analysis tools, and simulation aids for enhancing traumatic response capabilities.**

- **Developed Incident Response Guides & Multi Agency Coordination Guidebooks with our partners from the Association of Bay Area Health Officials, and the Bay Area Mass Prophylaxis Working Group.**

BAY AREA

URBAN AREAS SECURITY INITIATIVE

San Francisco Department of Emergency Management
Bay Area Urban Areas Security Initiative (UASI)
2016 STAFF ORGANIZATION CHART



Bay Area Urban Areas Security Initiative
Work Plan Fiscal Year 2016-17

Staff	UASI Goal	Assignments and Responsibility	Critical Tasks & Job Functions	Allocation of Time
Craig Dziedzic UASI General Manager 8 am – 5 pm	**Goal 1** Develop a Regional Risk Management and Planning Program Management and Administration	• Provide region-wide leadership and administration of all grant initiatives in federal homeland security grants, in direct support of the homeland security strategies approved by the Approval Authority, awarded to the Bay Area Region. • Select, direct and manage a Management Team to support the Approval Authority and the BAUASI region's initiatives and projects, and make reasonable efforts to balance regional representation on the Management Team within budget. • Monitor, supervise, and/or coach the assistant GM, the regional project manager, the Chief Financial Officer, and two Emergency Services Coordinators to align the performance and skill set of the Management Team with the goals of the organization. • Communicate regularly with executive-level management regarding the organization's activities and coordinate and represent the organization before legislative boards, committees, outside organizations, and governmental organizations.	• Execute Bay Area regional strategies and initiatives that are risk based and aligned with Federal and State policies, goals and strategies. • Develop, initiate, and implement division goals, objectives, policies/procedures, and priorities to determine service levels and resource allocations • Direct the allocation of resources to achieve timely outcomes and measurable goals within budget; implement annual work plans and programs to meet emerging or new programs, while continuing to address major organizational goals, objectives, and priorities. • On a weekly basis, monitor the efficiency and effectiveness of the organization structure, staff assignments, service levels and administrative systems; identify and analyze opportunities for improvement and implement improvements. • Develop, implement, and manage a working budget, organization chart, and annual work plan, for the BAUASI organization.	25% 25% 15%

		• Attend CCU quarterly meetings to implement best practices and state-wide preparedness goals and initiatives. • Conduct weekly staff meetings to ensure that regional initiatives are on track and in compliance with state and federal preparedness goals. • On an as needed basis, schedule and meet with individual members of the approval authority, SMEs, and other regional stakeholders to enhance working relationships. • Enhance the organization's operating revenue by leveraging multiple grant sources	• Coordinate, collaborate, and implement policies, procedures, and regulations of the City and County of San Francisco, including complying with specific union agreements, procurement requirements, dept. policies and MOUs. • Work with the Chair of the Approval Authority to prepare agendas, minutes, and quarterly staff reports for the monthly Approval Authority meetings pursuant to the Bylaws of the Master MOU. • Work with the Coalition of California UASIs (CCUs), the NCRIC, Cal OES and other state/local agencies and departments to develop, enhance, and implement regional and statewide initiatives involving data sharing (California Common Operating Picture - CalCOP), cyber security, and risk management. Chair the quarterly meetings of the CCU. • Coordinate and strategize with federal, state, and local agencies to increase organizational grant funding; , including but not limited to forming necessary regional working groups and responding to Notices of Announcements for applicable grants.	10% 10% 10% 5%

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Staff	UASI Goals	Assignments and Responsibility	Critical Tasks & Job Functions	Allocation of Time
Catherine Spaulding Assistant General Manager Mon-Fri 8am-5pm	Management and Administration	• Developing, reviewing and implementing plans, protocols, goals, and strategies • Supervising, training, assigning, and evaluating the activities of division personnel • Providing clarity to staff on roles, responsibilities, and expectations • Monitor programmatic and financial management activities, and identify and analyze opportunities for implementing efficiencies and improvements	• Compliance with MOUs, bylaws, and any policies and procedures established by the Approval Authority • Up to date understanding of DHS/FEMA funding, priorities, and policies • Policies and templates for performance plans and appraisals • In house training plan and implementation of plan • Organization chart • Management Team • Administrative Policies and Procedures • Grants Policies and Procedures	**25%**
		• Direct project staff responsible for the development and coordination of the Bay Area UASI regional risk management program and project selection process • Direct project staff as they work with stakeholders to review goals, strategies, analyze gaps in capabilities • Oversee tasks associated with application for and distribution of	• Communication to stakeholders on risk management and planning program and activities • Risk cycle kick off meeting • Capability assessments • Gap analysis report • THIRA	**75%**

		grant funds and programs and ensure compliance with applicable federal and state grant requirements • Provide regional coordination, monitoring, and appropriate oversight and management of grant funded projects and programs • Work with Advisory and Working Groups, as well as appropriate Bay Area stakeholders, to obtain input and make recommendations to the Approval Authority	• Bay Area Homeland Security Strategy • Allocation and policy priorities • Project proposal and prioritization process documents • Project plans, timelines MOUs, and professional services contracts • IJs • UASI grant application • Review of project deliverables • Budget and spending tracking • Regular participation and report outs at Working and Advisory Group meetings as well as Approval Authority meetings	

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Staff	UASI Goal	Assignments and Responsibility	Critical Tasks & Job Functions	Allocation of Time
Tristan Levardo Chief Financial Officer 8 am – 5 pm San Francisco	**Goal** Management and Administration	• Oversee the financial administration of HLS grants and the financial operations of the Bay Area UASI. • Direct the day-to-day operations of the Grants Management Unit in support of the Bay Area UASI mission and goals. • Administer HLS grant programs in accordance with DHS National Initiatives and grant guidelines with respect to grants management and accounting. • Attend local/ regional stakeholder meetings to implement best practices and state-wide preparedness goals and initiatives. • Participate in weekly staff meetings to ensure that regional initiatives are on track and in compliance with state and federal preparedness goals. • Provide fiscal and accounting support as well as technical assistance to UASI management team, and regional and local partners. • Oversee and coordinate the audit of grant accounting transactions including Single Audit, Post Audit and granting agency site reviews.	• Comply with reporting requirements by submitting on time accurate Financial Workbook, cash requests, program status reports, and budget reports. • Implement funding allocation and program plans in accordance with grant guidelines. • Develop policies and procedures to implement grant management objectives per grant management guidelines. • Create reports for AA including project status reports, travel expense reports, etc. • Over see activities of Post Audit, Single Audit, and other state and Federal audits. • Oversee monitoring of sub recipient activities in compliance with grant provisions, and generate meaningful monitoring reports.	25% 20% 15% 10% 10% 15%

		• Oversee monitoring activities of regional and local jurisdictions in compliance with applicable grant guidelines. • Oversee completion of MOUs and LOAs.	• Issue accurate and timely MOUs and LOAs.	5%

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Staff	UASI Goal/ Objectives	Assignments and Responsibilities	Critical Tasks & Job Functions	Allocation of Time
Janell Myhre Regional Program Manager 9:00am – 6:00pm	**Goals 1 - 8**	Work with GM and AGM to lead the UASI Management Team in best serving the Bay Area through building local and regional capabilities as related to the Bay Area UASI regional program goals.	• Oversee and coordinate Regional Project Manager(s) workload to achieve project management and monitoring goals. • Work with CFO to ensure UASI grant fiscal goals and objectives are coordinated with project management activities. • Lead Bay Area project proposal and selection process. • Coordinate efficient presentations to UASI Approval Authority, Advisory Group and Workgroups. • Provide All Hazards expertise to UASI Management Team efforts.	65%
		Support Bay Area jurisdictions with UASI project management coordination.	• Provide guidance and support to Regional Project Managers in assisting Bay Area jurisdiction's staff to complete projects through project monitoring and contractor management. • Attend Bay Area regional meetings, as needed. • Provide outreach and work directly with Bay Area jurisdictions, as needed.	15%

Staff	UASI Goal/ Objectives	Assignments and Responsibilities	Critical Tasks & Job Functions	Allocation of Time
		Implement best practices to strengthen regional relationships in order to coordinate and improve the development of UASI programs.	• Engage with CalOES State and Coastal Region staff to coordinate Bay Area region efforts. • Work with CalOES Region II MARAC meetings to coordinate information with CalOES Coastal Region and Bay Area OAs. • Engage and coordinate with Bay Area regional agencies and organizations, as needed. • Engage and coordinate with FEMA Region IX, as needed.	15%
		Remain current in UASI and RCPGP national program standards.	• Coordinate with other UASI and RCPGP sites in the country to engage in national information sharing on current program and project development and standards.	5%

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Mary Landers Regional Grants Managerd SFDEM 8 am – 5 pm San Francisco	Management & Administration (M&A)	**Compliance** • Technical lead on all compliance requirements • Provide support and build capacity of program and finance staff on compliance requirements. • Design/implement at least 1 training on compliance requirements for staff. • Coordinate updates to policies and procedures documents. • Keep staff appraised of FEMA updates **Grant Applications** • Prepare and submit IJs • Prepare and submit grant applications • Research new grant funding streams and spearhead grant application process. **Outreach and Writing** • Lead on Annual Report • Prepare legislation and supporting documentation for submittal to the Board of Supervisors. • Work closely with DEM representative to provide additional information/ clarification as needed. • Work and assist w/ special projects as needed	• Attend working group meetings as necessary to monitor and evaluate the effectiveness and efficiency of the program's service delivery system, identify and recommend alternative approaches or improvements; • Provide regional coordination, monitoring, and appropriate oversight and management of grant funded projects to ensure jurisdictions are compliant with grant guidelines and meeting their performance milestones and deliverables; • Coordinate with State and Federal agencies and UASI sites to share best practices; and • Prepare grant applications and written status reports, provide oral presentations and briefings to local and regional emergency management groups, Advisory Groups, Approval Authority, and local, state, and Federal agencies, prepare legislative documents, and maintain all records associated with project activities.	40% 10% 10%

		Finance and Program Backfill • Fiscal backfill and as needed support **Supervision** • Manage and coach 8600, 8601, and 8602 during weekly one on one meetings • Perform Mid Year and Annual Reviews • Ensure accountability of assigned tasks • Oversee summer internship participants **Special Projects** • On an as needed basis be prepared to draft and develop RFPs, RFIs, or contracts • Manage vendors to ensure successful and timely completion of projects within grant performance periods • Provide backfill in a Project Manager capacity in an as needed basis. • Provide assistance to PRND program	• Manage and coach 8600, 8601, and 8602 to ensure accountability of assigned tasks- including conducting annual performance reviews. • Oversee all summer intern program members • Review and update all BA UASI policy and procedure manuals to ensure all information is up to date • Prepare meeting agendas and conduct working group meetings as necessary. • Assist CBRNE Project Manager during the development of policies and procedures for the PRND program. • Oversee the development and submission of the Securing the Cities Grant application.	10% 15% 5% 10%

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Mikyung Kim-Molina, Contract Specialist 8 am – 5 pm San Francisco	Management & Administration	• Manage, develop, create and amend Memorandums of Understanding (MOU) with sub-recipient jurisdictions and Letters of Agreement (LOA) with San Francisco City Departments for all grant programs. • Develop professional services contracts. • Provide support on the project proposal process. • Perform capability gap assessment and analytical work on regional investments.	• Create MOU boilerplate, Appendix A and Grant Assurance templates for each grant program • Work in collaboration with UASI Program Managers and sub-recipient jurisdictions to obtain necessary information (e.g., project description, deliverables, timelines, contact information, budget amounts, etc.) in order to complete MOUs/LOAs • Generate formal modifications to MOUs/LOAs, as necessary • Serve as liaison to SF City Attorney. • Provide ongoing technical assistance to sub-recipients regarding MOU/LOA requirements and compliance • Maintain and track MOU/LOA status and budget information on the Inventory and Status spreadsheet • Carry out full execution of all MOUs/LOAs • Present updates to CFO and Program Mangers on MOUs/LOAs • Create RFP/RFQ for Professional Services Contracts. • Facilitate and/or participate on Review Panels. Write contracts using the City's P600 boilerplate and scope of services • Process contracts with SF Office	80%

			of Contracts Administration and Human Rights Commission. • Attend meetings of San Francisco Department of Emergency Management, Office of Contracts Administration and Civil Service Commission. • Perform research and engage stakeholders in project gap analysis and development. • Utilize the Grants Management System in performing work on the proposal process, MOU process and project management.	20%

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Thomas Wright Training and Exercise Program Manager Alameda County Sheriff's Office 8 am – 5 pm T SF M, W-F	Goal 8 Enhance Homeland Security Exercise, Evaluation and Training Programs	Administer and manage the Regional Training and Exercise (T&E) Program • Maintain a multidisciplinary Training and Exercise Team • Revise/update the Multi-Year Regional Training and Exercise Plan as necessary. Prepare for the development of a new Multi-Year Training and Exercise Plan in early 2017. • Serve as Chair for the monthly Regional Training and Exercise Program workgroup meetings to obtain input on region-wide training and exercise priorities as they relate to Homeland Security • Formulate and implement policies and procedures to ensure that the performance of training and exercise activities are in compliance with all UASI grant guidelines and requirements	• Plan, monitor, evaluate, and manage the day-to-day operations of the Regional Exercise, including monitoring and coaching the work of regional T&E staff to improve the regional training program • Manage the implementation of the Multi-Year Regional Training and Exercise Plan and coordinate the activities of the Regional Overhead Planning Team • Prepare monthly reports and produce a FY 2016 Regional Training and Exercise Annual report that contains a summary of training and exercise activities and accomplishments • Facilitate the presentation of various courses, presented by the National Training Consortium, to the Bay	90%

		• Attend the scheduled Urban Shield 2016 EPT Planning meetings, collect and review HSEEP related • Analyze all existing and relevant training plans and priorities. Present findings to the Regional T&E Workgroup to receive input, priorities, and direction. Recommend and implement alternative delivery models for efficient and effective implementation of training and exercises • Serve as UASI regional POC for a regional full-scale exercise (Urban Shield) and coordinate with Bay Area stakeholders to ensure other regional exercises are conducted as needed. • Sustain the assimilation of the regional catastrophic disaster exercise component (Yellow Command) into Urban Shield documents • Serve as the East Bay Hub Liaison and assist in the execution of the East Bay Hub planning process. Assist in the coordination of activities of the East Bay Hub as deemed appropriate by UASI Management • Prepare and manage annual UASI grant budget, file reimbursement requests on	Area UASI regional stakeholders • Establish methodologies for assessing, evaluating and measuring the effectiveness of UASI funded projects, equipment, and plans • Oversee the development of MOUs, contracts, and agreements with other jurisdictions and/or vendors [involved in Urban Shield] • Produce After Action Reports (AAR) for Regional Exercises, and ensure that Improvement Plans and performance gaps are identified for future funding by UASI • Serve as a liaison to local, state, and federal agencies, private sector partners, and non-governmental agencies • Develop and maintain financial management plans and policies that govern the expenditure of grant funds on training and	10%

		a quarterly basis, and provide and maintain required supporting documentation. • Assist the UASI Risk Management Project Manager in the Threat and Hazard Identification process	exercise activities, and the reimbursement of grant funds to the region • Maintain all records, including AAR/IPs, prepare periodic reports and recommendations to the Bay Area UASI Management Team and Approval Authority, and prepare information for the annual report • Assist in the promulgation of the concepts contained in the 31 Core Capabilities to the Training and Exercise Workgroup and to the Region.	

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Staff	UASI Goal	Assignments and Responsibility	Critical Tasks & Job Functions	Allocation of Time
Captain Jason Cherniss **San Francisco Police Department** SFPD Special Operations Bureau 9:00 a.m. – 5:00 p.m. Monday-Friday	**Goal 1, 2** Goal 1 – Risk Management Goal 2 - Information Analysis and Infrastructure Protective Capabilities	Managing the San Francisco Police Department's Homeland Security Project Planning Team, developing projects to address local and regional gaps. Coordinate and monitor San Francisco Public Safety projects, including SFPD and SFFD. • Liaison between the Bay Area UASI and the San Francisco Police Department. • Review reports produced by the Risk Assessment Center (RAC) on critical security gaps and capabilities locally and throughout the region. Coordinate and collaborate with Law Enforcement Personnel to identify and develop project proposals to address identified gaps. Be a resource and provide assistance to project managers on assigned projects. • Address capability gaps by adequately planning for large-scale local, regional, and international events. • Work with the 58 City and County of San Francisco Departments, in partnership with the Risk Assessment Center (RAC) to identify	• Review risk assessment, security gaps and capability reports produced by the Risk Assessment Center. • Coordinate internal meetings within the San Francisco Police Department and identify and designate Department members as project managers, ensuring that projects are implemented, on time and within their budgets. • Discuss and identify regional projects related to protecting, preventing, responding, mitigating and recovering from acts of terrorism. • Facilitate the preparation of project proposals. • Present and justify project proposals to UASI based on criteria and grant guidelines. • Communicate with project managers to ensure goals, objectives, timelines and deliverables are being accomplished. • Act as a liaison between the SFPD and the Bay Area	**50%**

		capabilities, risks and gaps in planning. • Work with the Department of Emergency Management and Digital Sandbox's Risk Assessment Center to review reports related to critical capability gaps with the 58 City and County of San Francisco City Departments and facilitate at least two workshops to assist those Departments in developing proposals to address potential gaps if applicable. This is accomplished under the direct guidance of Risk Assessment and Planning Program Manager at the Bay Area UASI.	UASI Management Team. • Revise the Open Source and Law Enforcement Sensitive Security Plan. • Coordinate the development of plans produced by the 11 subcommittees (command, air operations, intelligence, water, traffic, communications, crime prevention, logistics, DOC, 1st amendment, public information officer). • Develop a comprehensive operational plan. • Develop a budget and staffing plan. • Coordinate and facilitate a monthly regional law enforcement meeting. • Attend numerous meetings related to regional events. • Attend and participate in joint training exercises. • Develop internal policies related to events. • Conduct site visits. • Meet with Law Enforcement, Security personnel, and City agency representatives. • Attend community meetings. • Ensure proper training	**45%**

			supplied to officers. • Attend meetings related to new technology. • Conduct numerous briefings related to plan. • Review risk assessment, gap and capability reports produced by the Risk Assessment Center. • In partnership with the Department of Emergency Management's Department of Emergency Services, meet and distribute a report to City Department representatives. • Facilitate discussions related to capabilities of the City, identified gaps, and strategies necessary to eliminate gaps in planning related to the City and region. • Act as a liaison between the City representatives, the Department of Emergency Management and the Bay Area UASI to propose projects addressing local and regional gaps.	**5%**

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Staff	UASI Goal	Assignments and Responsibility	Critical Tasks & Job Functions	Allocation of Time
Corinne Bartshire Resilience and Recovery Regional Project Manager Bay Area UASI 8:00 am – 5:00 pm M-F SF	**Goal 6** Strengthen Emergency Planning and Citizen Preparedness Capabilities **Goal 7** Enhance Recovery Capabilities	Yellow Command Urban Shield Exercise: • Exercise Director • Manage exercise planning team • Manage contract for exercise design and conduct • Manage regional contracts related to Yellow Command exercise preparatory training and workshops	• Manage procurement process, including developing RFPs, RFQs, negotiating contract schedules/project plans, drafting statements of work, assisting with recruitment/selection of RFP and RFQ evaluators, and preparing recommendations for contract awards. • Serve as contract and project manager, working closely with the selected contractor and stakeholders throughout the region to ensure deliverables are completed well and on time. • Provide regional coordination, monitoring, and appropriate oversight to ensure regional OES plans and operations are effectively tested and coordinated with Urban Shield objectives, CalOES authority and bay area OA goals. • Work with Urban Shield exercise staff to effectively manage contractor to meet HSEEP and grant guidelines. • Work with Urban Shield, FEMA IX, Cal OES and bay area OAs to develop long term planning strategies to support sustainment of Yellow Command operations.	75%

Staff	UASI Goal	Assignments and Responsibility	Critical Tasks & Job Functions	Allocation of Time
		Convene and/or attend advisory and/or working groups as necessary, representing Bay Area UASI to ensure region-wide communication and participation in community preparedness and recovery related projects.	• Chair the Regional Disaster Planning and Recovery (RDPR) Work Group. Coordinate and oversee related subcommittees and sub workgroups to effectively engage and include bay area input into UASI projects. • Represent BAUASI in meetings related to regional projects, policies, or procedures. These may include Mutual Aid Regional Advisory Committee (MARAC), Public Private Partnership advisory committees, California Emergency Services Association (CESA), and other stakeholder groups as appropriate.	20%
		Project Monitoring	• Monitor progress of assigned sub-grantee allocated projects on a quarterly basis.	5%

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Staff	UASI Goal/ Objectives	Assignments and Responsibilities	Critical Tasks & Job Functions	Allocation of Time
Corey Reynolds Communications and Whole Community Project Manager SF DEM 8:30am – 5:00pm	**Goals 3 and 6** Goal 3 – Communications Goal 6- Community Preparedness and Public Outreach	Project Manager for interoperable communications and whole community emergency planning projects, including managing projects and providing oversight to contractors. Provide regional coordination, monitoring, management, and oversight of grant-funded projects and programs.	• Coordinate with BayRICS, the Project 25 Operators Group, and the Technical Advisory Committee (TAC) to enhance interoperable communications in the region. Address communications training and exercise needs. Coordinate with BayRICS in tracking FirstNet activities. • Coordinate and support efforts to enhance regional public information and mass notification capabilities, including chairing the Public Information & Warning Working Group. • Plan and manage projects to strengthen emergency planning and community preparedness capabilities, including developing RFPs, negotiating contract schedules/ project plans, drafting statements of work, assisting with recruitment/selection of RFP evaluators, preparing recommendations for contract awards, and serving as contract and project manager. • Coordinate with local, State, and Federal partners to develop, revise, and test catastrophic earthquake response plans for the Bay Area. • Implement and manage projects to enhance regional operational coordination and information	30% 20% 15% 10% 10%

Staff	UASI Goal/ Objectives	Assignments and Responsibilities	Critical Tasks & Job Functions	Allocation of Time
			sharing. • Communicate regularly with local, regional, State, and Federal partners, assess and respond to stakeholder concerns and issues. Provide updates on projects. Prepare written status reports for Program Manager, General Manager, UASI Approval Authority, and other organizations as requested • Maintain all records associated with project activities, work group meetings, and monitoring updates. • Represent BAUASI in meetings related to regional projects, policies, or procedures	5% 5% 5%

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VACANT Risk Management and Information Sharing Project Manager SFDEM	**Goal 1** Develop a Regional Risk Management and Planning Program **Goal 2** Enhance Information Analysis and Infrastructure Protective Capabilities **Goal 5** Medical and Public Health Preparedness	Lead project manager for Goal#1, 2, and 5 • Develop cybersecurity program in close coordination with the NCRIC • Facilitate and coordinate asset updates, PCII certification, and capability assessment process • Develop public health and medical program in close coordination with regional bodies like ABAHO and MHOAC • Review risk reports and gap analyses and facilitate briefings in hubs or operational areas, and core cities • Provide liaison between the NCRIC and UASI Management Team • Facilitate the Regional ALPR Focus Group, Cyber Focus Group meetings, and the Public Health and Medical Workgroup • Provide project management support to regional partners for public safety information sharing	• Manage procurement process, including developing RFPs, negotiating contract schedules/project plans, drafting statements of work, assisting with recruitment/selection of RFP evaluators, and preparing recommendations for contract awards; • Prepare Appendix A of MOU's for sub-recipient approval; • Manage contractors to ensure compliance with contractual parameters and alignment with grant guidelines and conduct evaluation of contractors; • Coordinate and manage working group meetings ensuring the required stakeholders and SME are included in the meetings to obtain input, serve as the liaison between these groups to ensure regional coordination and collaboration, and prepare and post meeting minutes; • Provide regional coordination, monitoring, and appropriate oversight and management of grant funded projects to ensure jurisdictions are compliant with grant guidelines and meeting their performance milestones and deliverables;	15% 15% 10% 10% 10% 30%

			• Prepare written status reports, provide oral presentations and briefings to local and regional emergency management groups, Approval Authority, and Federal and State agencies, and maintain all records associated with project activities	10%

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Staff	UASI Goal	Assignments and Responsibility	Critical Tasks & Job Functions	Allocation of Time
Lovely Lindsley Grants Accountant 8 am – 5 pm San Francisco	Management & Administration (M&A)	• Supervise the fiscal and accounting requirements of UASI grants in accordance with the Policies and Procedures Manual. • Perform desk audit of sub recipient reimbursement request to ensure that all expenditures are in compliant with grant guideline and they are supported by proper documentation. • Prepare financial management forms workbooks for cash requests and modification requests and ensure all grant requirements have been met prior to submittal to the State. • Assign, supervise, and evaluate staff accounting work in compliance with Generally Accepted Accounting Principles and applicable grant provisions. • Ensure that the Bay Area UASI's strategic goals align with a National or State priorities as well with the Target Capabilities from the National Preparedness Guidelines. • Actively engage, develop, foster, and enhance working partnerships with local and regional stakeholders, which include working groups, subject matter experts, and	• Maintain accurate financial data including the budgets, encumbrances, actual expenses in Financial Accounting Management Information System (FAMIS). • Prepare final management forms and workbooks for cash requests and modification requests in a timely manner. • Review, analyze and monitor budget and spending of grants and generate budget status and spending reports to the CFO. • Oversee accounting staff to maintain efficient work flow and develop processes for timely reimbursements to subrecipients, cash request and grant reconciliations. • Prepare financial reports as requested by CFO and UASI Management Team.	35% 25% 15% 20% 5%

		nongovernment organizations. • Work with sub-recipients in reviewing and analyzing grant reimbursement requests to ensure expenditures incurred are in compliance with grant guidelines and are consistent with sub-recipient awards affirmed in MOU agreements. • Perform regional sub-recipient monitoring field visits and desk reviews of grants activities. Evaluate and review grants financial and accounting operation, and work with project managers to review programmatic requirements of various grants. • Provide initial training for new grants analysts in areas of budget, accounting, purchasing activities, payroll analysis and reconciliation, as well as UASI grants model structure of projects and solution areas and grants administration. • Prepare written reports with comments and recommendations. Maintain monitoring records for Federal and State monitoring visits and audits.		

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Philip White CBRNE Project Manager Independent Contractor 16-20 hours per week	Goal 4 Strengthen CBRNE Detection, Response, and Decontamination Capabilities	Administration and Management of UASI Chemical Biologic Radiologic Nuclear Explosive (CBRNE) program: • Provide guidance and assistance in finalizing CBRNE projects, records and documents. • Chair CBRNE Workgroup • Facilitate and support Bay Area Auto Injector project	• Coordinate and manage working group meetings; ensure appropriate SMEs are included for stakeholder input as necessary • Support Grants Management staff to engage stakeholders to execute policy update, procurement and distribution of current Auto Injector equipment to the Bay Area region. • Prepare and archive meeting agendas, minutes and follow up documents for CBRNE and PRND working group • Attend Approval Authority meetings and prepare written reports, provide presentations as needed • Act as UASI representative with USCG Area Committee, DHS DNDO, LLNL, Sandia SMEs as needed and directed by GM • Develop PRND equipment policy and procedures • Represent UASI at the annual Bay Ferry Exercise	50%

		Manage the Bay Area Preventative Radiologic Nuclear Detection (PRND) project • Chair PRND Sub-committee • Assist in the preparation of the 2017 Securing the Cities grant application • Serve as UASI Management Team Maritime Subject Matter Expert (SME)	• Gather CBRNE and PRND project information for sub recipient MOU development;	45%
		Project Monitoring	• Monitor progress of assigned sub-grantee allocated projects on a quarterly basis.	5%

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David Frazer Cal COP State Risk Management Program Manager – under the direction of the CA Coalition of UASIs Sonoma County Fire & Emergency Services 8:00 am – 5:00 pm M-Fri Works primarily out of Sonoma County Office when not travelling to support the RMP.	**Goal 1** Develop Risk Management and Planning Program **Goal 2** Enhance Information Analysis and Infrastructure Protective Capabilities	Lead project manager Statewide Risk Management Program Reports directly to CCU Chair Craig Dziedzic • Facilitate and coordinate the implementation and adoption efforts for the core Cal COP statewide risk management program • Work directly with Regional UASI leadership to build awareness and maximize Cal COP use • Collaborate with (6) DHS Fusion Centers and other affiliated regional and state agencies • Drive value for all UASI regions through strong contract management, oversight and monitoring • Act as liaison between contract vendor Haystax and state agencies and UASI stakeholders	• Lead annual Statewide Risk Management contract development to ensure equity of services to all UASIs; • Manage contractors to ensure compliance with contractual parameters and alignment with grant guidelines and conduct evaluation of contractors; • Coordinate and manage stakeholder meetings to assess needs and usage of Cal COP for risk management and situational awareness; • Prepare written status reports, provide oral presentations and briefings to CCU and other state, local agencies as needed; • Maintain all records associated with project activities; • Provide guidance and subject matter expertise through outreach to all UASIs; • Continue to work with UASIs and state agencies to integrate data into Cal COP to show value and grow usage around the state; • Provide CIKR support for UASIs and Fusion Centers;	5% 5% 10% 10% 5% 10% 30% 5%

		• Synchronize implementation efforts to ensure consistent support across all UASI regions • Assist in the development of initiatives to enhance the use of Cal COP • Conduct site visits as needed to all UASIs and Fusion Centers to support use of Cal COP • Coordinate as appropriate with federal, state, local and territorial initiatives	• Work closely with each UASI to assess needs for risk management and situational awareness; • Provide special event support as needed; and • Seek and create opportunities to make presentations regarding the use of Cal COP at state and national conferences.	5% 5% 10%

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Staff	UASI Goal	Assignments and Responsibility	Critical Tasks & Job Functions	Allocation of Time
Yoshimi Saito Grants Specialist 8 am – 5 pm San Francisco	Management & Administration (M&A)	• Perform desk audit of sub recipient reimbursement request to ensure that all expenditures are in compliant with grant guideline and they are supported by proper documentation. • Prepare financial management forms workbooks for cash requests and modification requests and ensure all grant requirements have been met prior to submittal to the State. • Ensure that the Bay Area UASI's strategic goals align with National or State priorities as well with the Target Capabilities from the National Preparedness Guidelines. • Actively engage, develop, foster, and enhance working partnerships with local and regional stakeholders, which include working groups, subject matter experts, and nongovernment organizations. • Work with sub-recipients in reviewing and analyzing grant reimbursement requests to ensure expenditures incurred are in compliance with grant guidelines and are consistent with sub-recipient awards affirmed in MOU agreements.	• Administer HLS grant programs in accordance with DHS National Initiatives and grant guidelines with respect to grants management and accounting. Execute grant processes in ensuring compliance of regional and local sites and jurisdictions. • Implement all fiscal and accounting requirements in grants management and reporting activities, ensuring all related internal control procedures are maintained and all budgetary control procedures are in place. • Process and reconcile grants accounting transactions including budget, revenues, expenditures, and encumbrances within required timeframe, ensuring fiscal compliance with appropriate rules and provision. • Prepare final management forms and workbooks for cash requests and modification requests in a timely manner. • Assist in conducting onsite monitoring visits to ensure compliance.	30% 25% 20% 15% 10%

		• Perform regional sub-recipient monitoring field visits and desk reviews of grants activities. Evaluate and review grants financial and accounting operation, and work with project managers to review programmatic requirements of various grants.		

Bay Area Urban Area Security Initiative
Work Plan Fiscal Year 2016-17

Staff	UASI Goal	Assignments and Responsibility	Critical Tasks & Job Functions	Allocation of Time
Vacant Grants Specialist 8 am – 5 pm San Francisco	Management & Administration (M&A)	• Perform desk audit of sub recipient reimbursement request to ensure that all expenditures are in compliant with grant guideline and they are supported by proper documentation. • Prepare financial management forms workbooks for cash requests and modification requests and ensure all grant requirements have been met prior to submittal to the State. • Ensure that the Bay Area UASI's strategic goals align with National or State priorities as well with the Target Capabilities from the National Preparedness Guidelines. • Actively engage, develop, foster, and enhance working partnerships with local and regional stakeholders, which include working groups, subject matter experts, and nongovernment organizations. • Work with sub-recipients in reviewing and analyzing grant reimbursement requests to ensure expenditures incurred are in compliance with grant guidelines and are consistent	• Administer HLS grant programs in accordance with DHS National Initiatives and grant guidelines with respect to grants management and accounting. Execute grant processes in ensuring compliance of regional and local sites and jurisdictions. • Implement all fiscal and accounting requirements in grants management and reporting activities, ensuring all related internal control procedures are maintained and all budgetary control procedures are in place. • Process and reconcile grants accounting transactions including budget, revenues, expenditures, and encumbrances within required timeframe, ensuring fiscal compliance with appropriate rules and provision. • Prepare final management forms and workbooks for cash requests and modification requests in a timely manner. • Assist in conducting onsite monitoring visits to ensure compliance.	30% 25% 20% 15% 10%

		with sub-recipient awards affirmed in MOU agreements. • Perform regional sub-recipient monitoring field visits and desk reviews of grants activities. Evaluate and review grants financial and accounting operation, and work with project managers to review programmatic requirements of various grants.		

Bay Area Urban Areas Security Initiative
Work Plan Fiscal Year 2016-17

Staff	UASI Goal	Assignments and Responsibility	Critical Tasks & Job Functions	Allocation of Time
Ethan Baker Emergency Services Coordinator II 9/80 work schedule San Francisco	**Management and Administration**	Website Planning and Administration	• Plan and develop website improvements for public outreach • Update, edit, and post planning documents as needed • Manage maintenance and hosting of site • Train staff and regional users how to upload documents and audio • Conduct quarterly demonstrations of website updates at staff meeting	30%
		Webgrants Administration	• Administer Online Grant Management System • Manage User Access & Permissions Levels & Contact Database • Assign Submitted Applications for Review & Oversee Review Process • Add/ Edit funding opportunities • Modify application forms for upcoming fiscal years • Prepare communications & outreach materials (alerts management) • Provide trainings on Grant System Internal and External users • Create system generated reports from database • Integrate policy and procedural changes into system each year • Process incoming changes • Manage vendor contracting, hosting, and support	40%
		Strategic Planning for Bay Area UASI Outreach	• Create PowerPoints, organizational charts, and other materials as needed to support planning staff • Prepare graphics and digital presentation materials for meetings and agenda items • Design layout for Annual Report- due each May	15%

			• Develop and prepare quarterly Bay Area UASI Newsletter	
		Project Planning Support	• Provide support to all Regional Project Managers by preparing and editing regional project plan materials • Distribution of Project Change Request Forms • Assist in stakeholder outreach; preparation of all outreach materials and documents	10%
		Special Planning Projects	• Assist with special projects as needed	5%

Bay Area Urban Areas Security Initiative
Work Plan Fiscal Year 2016-17

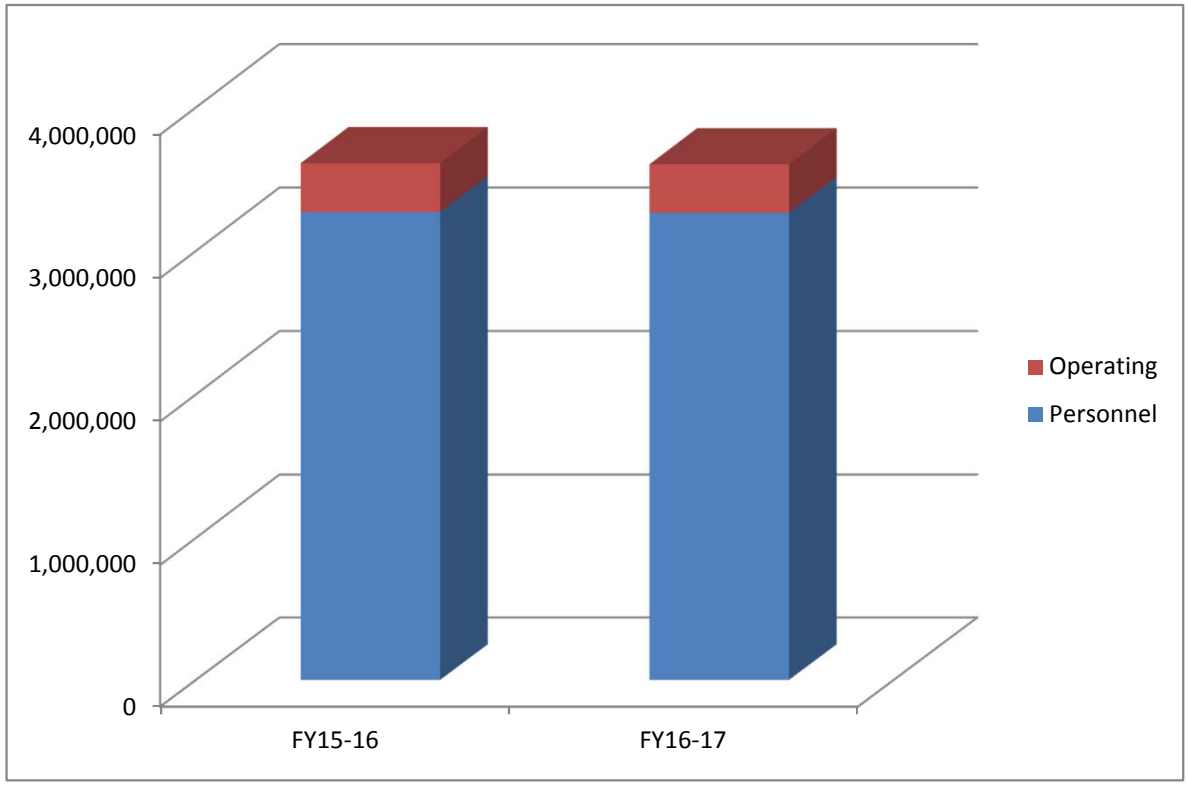
Staff	UASI Goal	Assignments and	Critical Tasks & Job Functions	Allocation of Time
Mason Feldman Emergency Services Assistant 8 am – 5 pm San Francisco	**Management and Administration**	Coordinate logistics of Approval Authority meetings	• Public liaison to the Approval Authority • Prepare, edit , and format documents to be submitted to the Approval Authority • Distribute documents to appropriate staff and Approval Authority members • Upload documents to UASI website • Maintain official records of meetings and official actions of the Approval Authority • Set up and attend Approval Authority meetings	40%
		Office Management and Administrative Support	• Provide administrative support to Management Team • Coordinate logistics of weekly staff meetings • Liaison to Building Management • Manage the master calendar • Order office supplies • Provide technical support and maintain conference room equipment • Liaison to DEM Human Resources • Liaison to DEM Information Technology	30%
		Project Support	• Assist Management Team with special projects including the Risk Management Program and Asset Catalog, Homeland Security Conference Presentations, newsletters, annual report, website calendar, online grants management system, and Summer Intern Program.	30%

Bay Area UASI Program
FY2016-2017 Proposed Budget

	FY16-17	FY15-16	Change Inc/(Dec)
Revenue Sources			
14 UASI (Planning and M&A)		$ 300,878	
15 UASI (Planning and M&A)	$ 3,002,884	$ 3,309,663	
16 UASI (Planning and M&A)	$ 600,577		
TOTAL ALL SOURCES	**$ 3,603,461**	**$ 3,610,541**	**$ (7,081)**
Expenditures:			
Personnel			
Salaries and Fringes - Project Planning	$ 2,054,958	$ 2,013,145	$ 41,813
Salaries and Fringes - Grants Management (M&A)	$ 807,686	$ 880,729	$ (73,043)
Salaries and Fringes - Compliance and Administration (M&A)	$ 402,316	$ 378,167	$ 24,149
Subtotal	$ 3,264,961	$ 3,272,041	$ (7,081)
Operating			
Travel (Planning and M&A)	$ 42,000	$ 42,000	$ -
Rents and leases (M&A)	$ 200,000	$ 200,000	$ -
Copy machines, website, on-line meetings, phones (M&A)	$ 38,500	$ 38,500	$ -
Office supplies/printing (M&A)	$ 25,000	$ 25,000	$ -
City Attorney Services (review of MOUs and contracts) (M&A)	$ 18,000	$ 18,000	$ -
Legal Services (Approval Authority) (M&A)	$ 15,000	$ 15,000	$ -
Subtotal	$ 338,500	$ 338,500	$ -
TOTAL EXPENDITURES	**$ 3,603,461**	**$ 3,610,541**	**(7,081) or -.2%**

UASI Management Team					
FY2016-2017 Personnel Detail					
Classification / Jurisdiction	**Job Title**	**Project**	**Salary**	**Fringe Benefits**	**Total**
Project Management Team					
0954 Mgr. VIII/SF	General Manager	Program Management	198,822	69,588	268,410
0933 Mgr. VII/SF	Assistant General Manager	Program Management	162,760	56,966	219,726
0932 Mgr. IV/SF	Lead Project Manager	Program Management	151,034	52,862	203,896
0931 Mgr III/SF	Resiliency & Recovery PM	Resiliency and Recovery	140,608	49,213	189,821
0931 Mgr III/SF	Whole Community and Communications PM	Whole Community and Communications	140,608	49,213	189,821
0931 Mgr III/SF	Risk Management PM	Risk Mangement	140,608	49,213	189,821
Contract	CBRNE PM	CBRNE Detection and Response	100,000		100,000
Alameda Cnty SO	Training & Exercise PM	Training & Exercise Program	296,434	103,752	400,186
Captain/SF	SFPD Liaison	Risk Mangement	217,244	76,035	293,279
Subtotal			**1,548,117**	**506,840**	**2,054,958**
Grants Management Unit					
0932 Mgr. IV/SF	Chief Financial Officer	M&A	151,034	52,862	203,896
1824 Principal Admin Analyst/SF	Contract Specialist	M&A	121,212	42,424	163,636
1657 Acct IV/SF	Grants Accountant	M&A	116,584	40,804	157,388
1823 Sr Admin Analyst/SF	Grant Specialist	M&A	104,728	36,655	141,383
1823 Sr Admin Analyst/SF	Grant Specialist	M&A	104,728	36,655	141,383
Subtotal			**598,286**	**209,400**	**807,686**
Compliance and Administration					
0931 Mgr III/SF	Compliance Manager	M&A	140,608	49,213	189,821
8602 ESC 2/SF	Planner	M&A	91,702	32,096	123,798
8601 ESC 1/SF	Admin Support	M&A	65,702	22,996	88,698
Subtotal			**298,012**	**104,304**	**402,316**
TOTAL: UASI MANAGEMENT TEAM			**2,444,415**	**820,545**	**3,264,961**

	Personnel	Operating		
FY15-16	3,272,041	338,500	3,610,541	
FY16-17	3,264,961	338,500	3,603,461	
Decrease	(7,080)	-	(7,080)	-0.20%



UASI Approval Authority and Management Team Tracking Tool

May 12, 2016 Approval Authority Meeting

#	Name	Who	Date Assigned	Due Date	Status / Comments
1	Cyber Program Report Out	Elizabeth McCracken and Mikyung Kim Molina	11/4/15	7/14/16	
2	FEMA IX Medical Countermeasures Planning Update	Dr. Erica Pan (TBC)	6/17/15	7/14/16	
3	Urban Shield 2016	Tom Wright, Janell Myhre	11/16/15	7/14/16	
4	ALPR Pilot Group Report Out	Mikyung Kim Molina Brian Rodriguez	1/25/16	7/14/16	
5	Risk and Gap Report	Catherine Spaulding	10/20/15	8/11/16	
6	FY17 Proposal Guidance	Catherine Spaulding	10/20/15	8/11/16	
7	Project Updates: POD Planning	Janell Myhre	11/16/15	8/11/16	
8	2016 THIRA	Catherine Spaulding and Jason Carroll	10/20/15	11/10/16	
9	Regional Mutualink Investments – Close Out	Corey Reynolds	3/24/16	11/10/16	
10	Update to the Master MOU and Bylaws (expiration November 2017)	Catherine Spaulding	11/24/15	11/10/16	
11	FEMA IX Medical Countermeasures Planning	Dr. Erica Pan	6/17/15	1/12/17	
12	FY17 Proposal Guidance	Catherine Spaulding	10/20/15	8/11/16	

Reoccurring Agenda Items are on the back of this page

Regular Items/Assignments						
#	**Name**	**Deliverable**	**Who**	**Date Assigned**	**Due Date**	**Status / Comments**
A	UASI Financial Reports	Report	Tristan Levardo		~~1/14/16~~ ~~2/11/16~~ ~~4/14/16~~ ~~5/12/16~~ 7/14/16 8/11/16 9/8/16 11/10/16	~~FY15 UASI Spending Report~~ ~~FY14 UASI Spending Report~~ ~~UASI Travel Expenditures~~ ~~Reallocation of Grant Funds~~ FY15 UASI Spending Report UASI Travel Expenditures FY14 Final Spending Report Reallocation of Grant Funds
B	BayRICS JPA Quarterly Report	Report	Barry Fraser		~~1/14/16~~ ~~4/14/16~~ 10/13/16	BayRICS JPA Report
C	Election of UASI Officers	Discussion & Action Item	Chair		~~1/14/16~~ (Annually)	
D	NCRIC Annual Report	Report	Mike Sena		~~2/11/16 (annually)~~	~~*Occurred in January 2015*~~
E	Training and Exercise Program Annual Report	Report	Tom Wright		~~2/11/16 (annually)~~	~~*Occurred in January 2015*~~

To: **Bay Area UASI Approval Authority**

From: **Mary Landers, Regional Grants Manager**

Date: **May 12, 2016**

Re: **Item 5: Controlled Equipment Requirements**

Staff Recommendations:

No recommendation – for discussion only

Action or Discussion Items:

Discussion

Discussion:

Background: For many decades, the Federal Government has provided surplus equipment to state, local, and tribal law enforcement entities through various transfers, programs, and grants. This equipment has provided assistance to law enforcement entities as they carry out their public safety mission. The equipment acquired includes many different types of equipment, including military and military-style equipment, firearms, and tactical equipment, called "controlled equipment". Executive Order 13688, issued on January 16, 2015, standardizes procedures for providing controlled equipment to law enforcement entities.

This Executive Order also called for the formation of a Law Enforcement Equipment Working Group, co-chaired by the Secretary of Defense, the Attorney General, and the Secretary of Homeland Security, and comprised of high ranking federal government officials. This group was tasked with developing guidelines to ensure that controlled equipment is appropriate for the needs of the community, that law enforcement agencies are properly trained to use the equipment, that agencies purchasing controlled equipment adopt organizational and operational practices and standards that prevent the misuse/abuse of the controlled equipment and, that agencies meet all civil rights requirements. The working group was tasked with providing a report with their recommendations as well as an implementation plan.

Information Bulletin 407 (IB 407) was first issued to all stakeholders by DHS/FEMA on February 16, 2016 and provided guidance regarding the requirements for applying for, or expending grant funds for, controlled equipment using federal funds. IB 407 not only defines controlled equipment,

but also provided a list of prohibited equipment as well. The equipment on the prohibited list has never been allowable under the UASI grants, therefore, the region is unaffected by this.

Subsequent to the issuance of IB 407, DHS conducted several webinars to provide guidance on the purchase of controlled equipment. The following steps must be taken in order to obtain approval:

1. The requesting agency must first obtain explicit approval or concurrence from their governing body and provide evidence of that approval or concurrence. However, if the head of the requesting agency is an elected official (i.e. Sheriff), they are not required to seek permission, but must notify the governing body and provide reasonable opportunity for the governing body to review the controlled equipment purchase request. Silence or inaction by the governing body will constitute tacit approval.

2. Once this approval/notification process is complete, the requesting agency completes FEMA Form 87-0-0-1. Narratives must include:

    a. … "***a clear and persuasive explanation demonstrating the need for the controlled equipment and the purpose that it will serve***", and requires other information about inventory acquired through Federal programs and any findings of federal civil rights violations involving controlled equipment.
    b. Written policies and protocols specifically governing the use, supervision of use, effectiveness evaluations, auditing and accountability, and transparency and notice considerations. Law enforcement agencies must also provide written policies and procedures on community policing, constitutional policing and community input and impact considerations.
    c. Information on training to demonstrate technical proficiency in the use of the equipment, use scenario-based training, and conduct annual training on the 1st, 4th, and 14th Amendments. Law enforcement agencies must also annually conduct training on general policing standards.
    d. Record-keeping requirements, including After-Action Reports following a "Significant Event", all written policies and procedures, and all training records.

3. The requesting jurisdiction is responsible for completing the FEMA Form and the Bay Area UASI will submit this form to Cal OES for review and approval. Cal OES will then submit the form to the DHS/FEMA Program Analyst for review and approval. Review and approval time is estimated at 30 calendar days, barring additional reviews by the Department of Justice or DHS Civil Rights and Civil Liberties.

Bay Area UASI

Controlled Equipment Requirements

Approval Authority Meeting

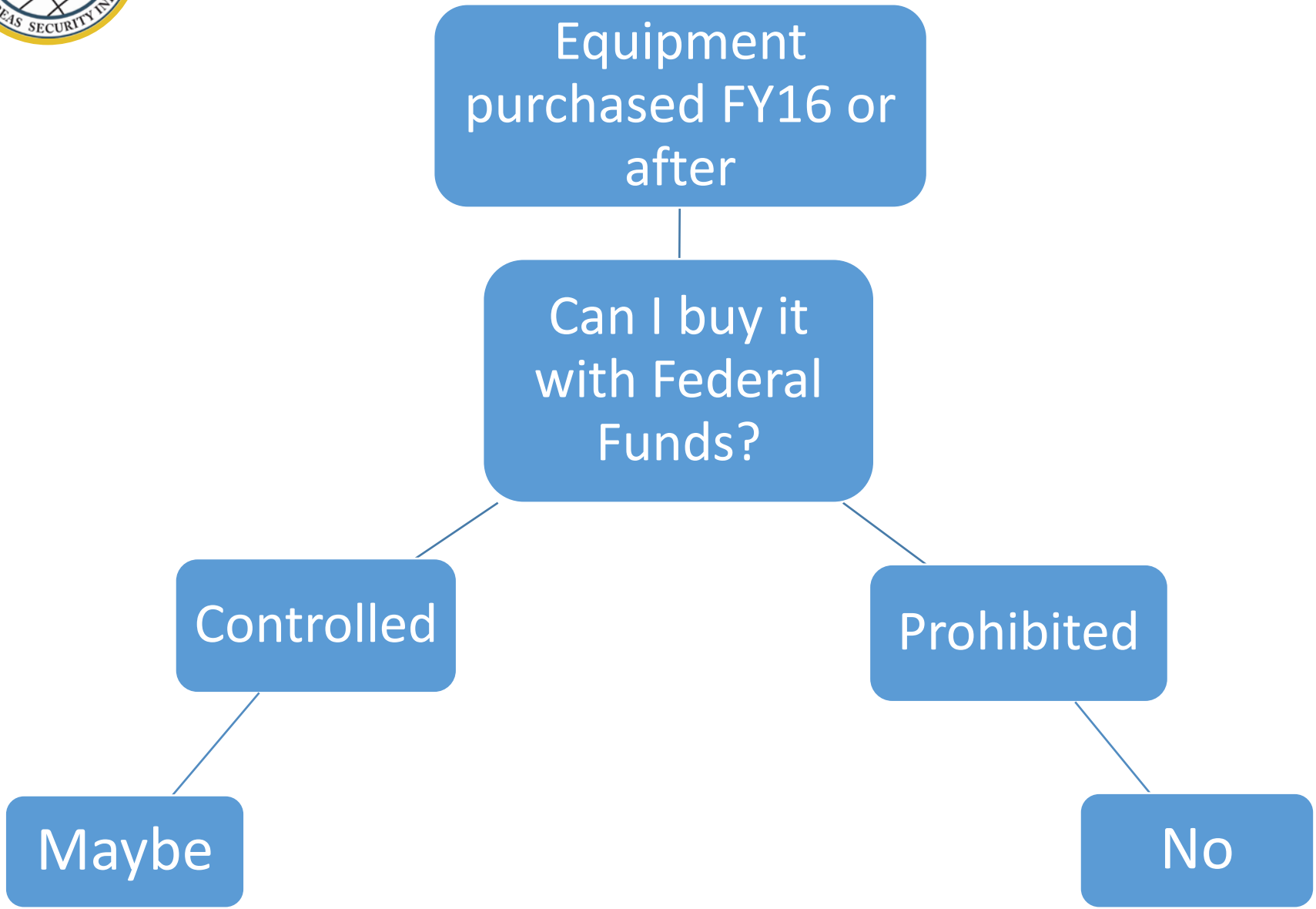
Agenda Item 5

May 12, 2016

Executive Order 13688

- Issued by President Obama- January 16, 2015
- Standardized purchase & transfer of military and military-style equipment
- High level, 14-member Working Group

Information Bulletin 407 (IB 407)



Controlled Equipment

- Manned Aircraft- Fixed & Rotary Wing
- Unmanned Aerial Vehicles (drones)
- Armored Vehicle, Wheeled
- Tactical Vehicle, Wheeled
- Command & Control Vehicles
- Specialized Firearms & ammunition under .50 Caliber (no service weapons)
- Explosives/Pyrotechnics
- Breaching Apparatus
- Batons, Helmets, and Shields (Not Riot)

Application Process

Obtain written approval from agency's governing body

- Other elected officials (i.e. Sheriff) must NOTIFY governing body for approval– silence or inaction constitutes tacit approval
- Jurisdictions responsible for preparing paperwork & BA UASI will submit FEMA Form to Cal OES

FEMA Form 87-0-0-1

- Policy and Protocol Requirements- specific, written documentation

Training Requirements

- Various types of training are required

Record keeping requirements

Approval Process

Cal OES must verify application before submitting to FEMA

- FEMA Program Analyst reviews- checks for “Yes” or “Will implement”

Reviews narrative for sufficient justification

- Conducts search to determine if similar equipment is available in region

Program Analyst submits recommendation up the chain

- Various types of training are required

Director of Grants Preparedness Division notifies Cal OES

- Review/approval time is estimated at 30 calendar days

It's all about the usage!

Q: If my agency buys a command vehicle and another agency wants to borrow it, do they have to follow all requirements in IB 407?

A: It depends. If you drive it to the other OA and maintain control, no. But, if you loan them the car keys, then, yes.

You buy it, you're responsible!

Q: My agency buys a command vehicle. Another agency borrows it, claims they have complied with all requirements. They didn't comply. Who's responsible for any penalties?

A: You are responsible. Penalties may include:

- Disallowance of Costs
- Increased monitoring
- Termination of Grant Award

A little compliance humor:

Bay Area UASI

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

CONTROLLED EQUIPMENT REQUEST

OMB Control Number:1660-0141
Expiration: 09-30-2016

PAPERWORK BURDEN DISCLOSURE NOTICE

FEMA Form 087-0-0-1

Public reporting burden for this data collection is estimated to average 45 minutes per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. This collection of information is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472-3100, Paperwork Reduction Project (1660-NEW) NOTE: Do not send your completed form to this address.

A. General Information

Name of Applicant or Recipient:		State or Tribe:
Program:	Program Fiscal Year	Award or Application Number (If known):
Project Title:		Investment Justification Number:
Project Number:	Is this a law enforcement agency?	Project Address:

B. Applicant or Recipient Point(s) of Contact

Name:	Name:
Address:	Address:
Phone:	Phone:
E-mail:	E-mail:

C. Sub recipient - General Information (If applicable)

Name of Sub recipient (If applicable):

Project Title:	Investment Justification Number:
Project Number:	Is this a law enforcement agency?
Point of Contact:	Address:
Phone:	E-mail:

D. Policies

Law Enforcement Agencies only - Does the Requesting Agency have policies on the following?

Community Policing:	Community Input:
Constitutional Policing:	Impact Considerations:

Law Enforcement Agencies only - Does the Requesting Agency have policies on the following?

Appropriate Use:	Effectiveness Evaluation:
Supervision of Use:	Auditing and Accountability:

Law Enforcement Agencies only - Does the Requesting Agency have policies on the following?	
Training on the use of the controlled equipment:	Significant Incidents:

E. Controlled Equipment Information

Category of requested equipment:	Authorized Equipment List Number (If known):

Provide a detailed description of the equipment and the justification for acquiring the requested controlled equipment

Number of units requested:	Number of units currently in inventory:

List all categories of controlled equipment acquired by the organization through federal programs in the last three (3) years that are currently in inventory.

Fiscal year:	Fiscal year:	Fiscal year:

Any additional that is not listed above (Please include category type and fiscal year acquired):

Can the requested controlled equipment be reasonably accessed by other means?

Has the requesting organization provided training to users of the controlled equipment?

F. Organization Information

Does the requesting organization have written approval from their governing body (for purposes of these criteria, a "governing body" is defined as the institution or organization that has direct budgetary oversight or fiscal/financial control over the requesting entity) for the proposed acquisition of the requested controlled equipment?

Has the requesting organization previously requested, have a pending request for, or been denied for this category of controlled equipment by another federal agency?

F. Organization Information (continued)		
Any additional that is not listed above (Please include category type and fiscal year acquired):		
Has the requesting organization ever been in violation of a federal civil rights statute or program during the past 3 years?		
Any additional that is not listed above (Please include category type and fiscal year acquired):		
Will the requested controlled equipment provide a regional or multi-jurisdictional capability?		
If yes, provide the following information regarding the controlled equipment:		
Regional Geographic size to be served:	Regional Population to be served:	
Provide the number of individuals with access:		

G. Regional Sharing Agreement

Have all entities within the regional sharing agreement implemented all required protocols, training, records keeping, and information collection and retention requirements prior to acquisition of the controlled equipment?

H. Certification Statement

By signing below, the authorized official certifies that the requesting organization:

- Has adopted the required Policies and Protocols Requirements;
- Meets the Training Requirements;
- Will adhere to the Records Keeping Requirements;
- Will adhere to After-Action Report Requirements;
- If applicable, all entities within the regional sharing agreement have implemented or will implement all required protocols, training, records keeping, and information collection and retention requirements prior to acquisition of the controlled equipment.
- Will abide by all applicable federal, state, local, and tribal laws, regulations, programmatic terms and conditions, and all requirements outlined in the Grant Programs Directorate Information Bulletin 407.

Authorizing Official (Print Name):	Signature:	Date:

I. FEMA Grant Programs Directorate Staff only

Reviewed By (Print Name):	Position Title and Organization:	Date:

Controlled Equipment Request -- Instructions

A. General Information - The information in this section provides background and context for the investment(s) requested or awarded.

- ***Program Fiscal Year:*** Fiscal year of the grant award or application. (Ex. If you have a 2014 grant award the Program FY is 2014 or if you are applying for a 2016 Grant Award your Program FY is 2016).

- ***Recipient*****:** A non-Federal entity that receives a Federal award directly from a Federal awarding agency to carry out an activity under a Federal program. The term recipient does not include sub-recipients. See also§200.69 Non-Federal entity. (2 CFR § 200.86)

B. Applicant or Recipient Point of Contact - Identify the organization's Authorizing Official, and primary point of contact for management of the project(s), including contact information.

- ***Authorizing Official:*** authorize to sign grant agreement on behalf of the organization.

C. Sub-recipient - Identify sub-recipient if applicable.

- ***Sub-recipient*****:** A non-Federal entity that receives a sub-award from a pass - through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A sub-recipient may also be a recipient of other Federal awards directly from a Federal awarding agency. (2 CFR § 200.93)

D. Policies - Law Enforcement Agencies and other requesting organizations identify the following policies.

- ***Community Policing:*** The concept that trust and mutual respect between police and the communities they serve are critical to public safety. Community policing fosters relationships between law enforcement and the local community which promotes public confidence in Law Enforcement Agencies and, in turn, enhances Law Enforcement Agencies ability to investigate crimes and keep the peace. (Recommendations Pursuant to Recommendations Pursuant to Executive Order 13688, page19)

- ***Constitutional Policing:*** Protocols emphasize that all police work should be carried out in a manner consistent with the requirements of the U.S. Constitution and federal law. Policies must include protocols on First Amendment, Fourth Amendment, and Fourteenth Amendment principles in law enforcement activity, as well as compliance with Federal and State civil rights laws. (Recommendations Pursuant to Executive Order 13688, page 19)

- ***Community Input and Impact:*** Protocols must identify mechanisms that Law Enforcement Agencies will use to engage the communities they serve to inform them and seek their input about Law Enforcement Agencies' actions, role in, and relationships with the community. Law enforcement exists to protect and serve the community, so it is axiomatic that the community should be aware of and have a say in how they are policed. Law Enforcement Agencies should make particular efforts to seek the input of communities where controlled equipment is likely to be used so as to mitigate the effect that such use may have on public confidence in the police. This could be achieved through the Law Enforcement Agency's regular interactions with the public through community forums, town halls, or meetings with the Chief or community outreach divisions. (Recommendations Pursuant to Executive Order 13688, page 19)

- ***Appropriate Use of Controlled Equipment:*** Requesting organizations should examine scenarios in which controlled equipment will likely be deployed, the decision-making processes that will determine whether controlled equipment is used, and the potential that both use and misuse of controlled equipment could create fear and distrust in the community. Protocols should consider whether measures can be taken to mitigate that effect (e.g., keep armored vehicles at a staging area until needed) and any alternatives to the use of such equipment and tactics to minimize negative effects on the community, while preserving officer safety. (Recommendations Pursuant to Executive Order 13688, pages 19 - 20)

- ***Supervision of Use:*** The protocols must specify appropriate supervision of personnel operating or utilizing controlled equipment. Supervision must be tailored to the type of equipment being used and the nature of the engagement or operation during which the equipment will be used. Policies must describe when a supervisor of appropriate authority is required to be present and actively overseeing the equipment's use in the in the field. (Recommendations Pursuant to Executive Order 13688, page 20)

- ***Effectiveness Evaluation:*** The protocols must articulate that the requesting organization will regularly monitor and evaluate the effectiveness and value of controlled equipment to determine whether continued deployment and use is warranted on operational, tactical, and technical grounds. Requesting organizations should routinely review after-action reports and analyze any data on, for example, how often controlled equipment is used or whether controlled equipment is used more frequently in certain law enforcement operations or in particular locations or neighborhoods. (Recommendations Pursuant to Executive Order 13688, page 20)

- ***Auditing and Accountability:*** There must be strong auditing and accountability provisions in the protocols which state that the requesting organization's personnel will agree to and comply with and be held accountable if they do not adhere to agency, State, local, Tribal, and Federal policies associated with the use of controlled equipment. (Recommendations Pursuant to Executive Order 13688, page 20)

- ***Transparency and Notice:*** The protocols must articulate that the requesting organization will engage the community regarding acquisition of controlled equipment, policies governing its use, and review of Significant Incidents (see Recommendation 2.3 below), with the understanding that there are reasonable limitations on disclosures of certain information and law enforcement sensitive operations and procedures. (Recommendations Pursuant to Executive Order 13688, page 20)

- ***Significant Incident*****:** Any law enforcement operation or action that involves (a) a violent encounter among civilians or between civilians and the police; (b) a use-of-force that causes death or serious bodily injury; (c) a demonstration or other public exercise of First Amendment rights; or (d) an event that draws, or could be reasonably expected to draw, a large number of attendees or participants, such as those where advanced planning is needed. (Recommendations Pursuant to Executive Order 13688, pages 22 - 23)

E. Controlled Equipment Information - Applicant or recipient/sub-recipient identify and describe the requested equipment.

- ***Authorized Equipment List:*** The Authorized Equipment List (AEL) is a list of approved equipment types allowed under FEMA's preparedness grant programs. http://beta.fema.gov/authorized-equipment-list

F. Organization Information - Describe pending or applied control equipment request.

- ***Corrective Action:*** Action taken by the auditee that:
  (a) Corrects identified deficiencies;
  (b) Produces recommended improvements; or
  (c) Demonstrates that audit findings are either invalid or do not warrant auditee action. (2 CFR § 200.26)

G. Regional Sharing - Identify regional sharing amongst entities.

- ***Regional Sharing:*** The requesting organization must indicate whether the requested controlled equipment is being acquired to provide a regional or multi-jurisdictional capability. (Recommendations Pursuant to Executive Order 13688, pages 28 - 29)

H. Certification Statement - Authorizing Official certify information.

- ***After-Action Review:*** (1) Requesting organizations must collect and retain "Required Information" (described below) when law enforcement activity that involves a "Significant Incident" requires, or results in, the use of any Federally-acquired controlled equipment in the requesting organization's inventory (or any other controlled equipment in the same category as the Federally-acquired controlled equipment). (2) When unlawful or inappropriate police actions are alleged and trigger a Federal compliance review, and the Federal agency determines that controlled or prohibited equipment was used in the law enforcement activity under review, the requesting organization must produce or generate a report(s) containing Required Information. (Recommendations Pursuant to Executive Order 13688, page 22)

- ***Record-Keeping Requirement:*** Requesting Organizations must retain "Significant Incident" reports and Required Information for a period of at least three (3) years and must provide a copy of these records, upon request, to the Federal agency that supplied the equipment/funds. This information also should be made available to the community the requesting organization serves in accordance with applicable policies and protocols including considerations regarding the disclosure of sensitive information. (Recommendations Pursuant to Executive Order 13688, page 23)

U.S. Department of Homeland Security
Washington, DC 20472

FEMA

Grant Programs Directorate Information Bulletin No. 407

MEMORANDUM FOR: All State Administrative Agency Heads
All State Administrative Agency Points of Contact
All Urban Area Security Initiative Points of Contact
All State Homeland Security Directors
All State Emergency Management Agency Directors
All Eligible Transit Agencies
All Private Sector Transportation Security Partners
All Public and Private Sector Port Security Partners
All Tribal Nation Points of Contact

FROM: Brian E. Kamoie
Assistant Administrator for Grant Programs
Federal Emergency Management Agency

SUBJECT: **Use of Grant Funds for Controlled Equipment**

The purpose of this Information Bulletin (IB) is to provide grant applicants, recipients, and subrecipients with guidance regarding the requirements when applying for, or expending grant funds for, controlled equipment expenditures and using grant-funded controlled equipment. This IB is applicable to all grants awarded by the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) on or after October, 1 2015.[1]

This IB was developed as part of the implementation of *Executive Order (EO) 13688: Federal Support for Local Law Enforcement Equipment Acquisition*, issued January 16, 2015, and the *Recommendations Pursuant to Executive Order 13688,* which collectively established a *Prohibited Equipment List* and a *Controlled Equipment List,* and identified actions necessary to improve Federal support for the appropriate acquisition, use, and transfer of controlled equipment by state, local, tribal, territorial, and private grant recipients.

The *Prohibited Equipment List* identifies categories of equipment that recipients are prohibited from acquiring using federally-provided funds or via transfer from federal agencies, and includes:

[1] Information Bulletin 407 does not apply to FEMA non-disaster grant programs awarded in Fiscal Year 2015 or in prior years, if such awards were made by FEMA to the grant recipient prior to October 1, 2015. However, grant recipients should consult the Authorized Equipment List for additional instructions that were in place for FY 2015 and prior years prior to obligating funds for this category of equipment. In some categories, grant recipients must obtain a waiver from FEMA by consulting with their Program Analyst and providing a detailed justification for obligating funds in this category, and receiving approval to obligate funds as indicated in the Authorized Equipment List.

- **Tracked Armored Vehicles:** Vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- **Weaponized Aircraft, Vessels, and Vehicles of Any Kind:** These items will be prohibited from purchase or transfer with weapons installed.
- **Firearms of .50-Caliber or Higher**
- **Ammunition of .50-Caliber or Higher**
- **Grenade Launchers:** Firearm or firearm accessory designed to launch small explosive projectiles.
- **Bayonets:** Large knives designed to be attached to the muzzle of a rifle/shotgun/long gun for the purposes of hand-to-hand combat.
- **Camouflage Uniforms Used for Urban Settings:** Does not include woodland or desert patterns or solid color uniforms.

The *Controlled Equipment List* identifies categories of equipment that have significant utility for state, local, tribal, territorial, and private grant recipients. Recipients may continue to acquire controlled equipment through Federal assistance programs. However, because of the nature of the equipment and the potential impact on communities, additional controls will be imposed on the acquisition, use, and transfer of this equipment. While several of the items below are not allowable expenses under DHS/FEMA preparedness grants[2], the full *Controlled Equipment List* includes:

- **Manned Aircraft, Fixed Wing:** Powered aircraft with a crew aboard, such as airplanes, that use a fixed wing for lift.
- **Manned Aircraft, Rotary Wing:** Powered aircraft with a crew aboard, such as helicopters, that use a rotary wing for lift.
- **Unmanned Aerial Vehicles:** A remotely piloted, powered aircraft without a crew aboard (including Small Unmanned Aerial Systems (SUAS).
- **Armored Vehicles, Wheeled:** Any wheeled vehicle either purpose-built or modified to provide ballistic protection to its occupants, such as a Mine-Resistant Ambush Protected (MRAP) vehicle or an Armored Personnel Carrier.
- **Tactical Vehicles, Wheeled:** A vehicle purpose-built to operate on- and off-road in support of military operations, such as a HMMWV ("Humvee"), 2.5-ton truck, 5-ton truck, or a vehicle with a breaching or entry apparatus attached.
- **Command and Control Vehicles:** Any wheeled vehicle either purpose-built or modified to facilitate the operational control and direction of public safety units responding to an incident.
- **Specialized Firearms and Ammunition Under .50-Caliber (excludes firearms and ammunition for service-issued weapons):** Weapons and corresponding ammunition for specialized operations or assignment. This excludes service-issued handguns, rifles, or shotguns that are issued or approved by the agency to be used during the course of regularly assigned duties (Note: despite its inclusion on the Government-wide *Controlled Equipment List*, equipment defined under this category is not an allowable expense under any FEMA preparedness grant program).
- **Explosives and Pyrotechnics:** Includes "flash bangs" as well as explosive breaching tools often used by special operations units.

[2] Recipients and sub-recipients should refer to the annual Notice of Funding Opportunity, the Authorized Equipment List, or contact their FEMA Program Analyst for information regarding the allowability of specific equipment categories.

- **Breaching Apparatus (e.g., battering ram, similar entry device):** Tools designed to provide law enforcement rapid entry into a building or through a secured doorway. These tools may be mechanical in nature (a battering ram), ballistic (slugs), or explosive.
- **Riot Batons (excluding service-issued telescopic or fixed-length straight batons):** Non-expandable baton of greater length (generally in excess of 24 inches) than service-issued types and are intended to protect its wielder during melees by providing distance from assailants. (Note: despite its inclusion on the Government-wide *Controlled Equipment List*, equipment defined under this category is not an allowable expense under any FEMA preparedness grant program).
- **Riot Helmets:** Helmets designed to protect the wearer's face and head from injury during melees from projectiles including rocks, bricks, liquids, etc. Riot helmets include a visor which protects the face. (Note: despite its inclusion on the Government-wide *Controlled Equipment List*, equipment defined under this category is not an allowable expense under any FEMA preparedness grant program).
- **Riot Shields:** Shields intended to protect wielders from their head to their knees in melees. Most are designed for the protection of the user from projectiles including rocks, bricks, and liquids. Some afford limited ballistic protection as well**.** Riot shields may also be used as an offensive weapon to push opponents. (Note: despite its inclusion on the Government-wide *Controlled Equipment List*, equipment defined under this category is not an allowable expense under any FEMA preparedness grant program).

While EO 13688 speaks directly to Law Enforcement Agencies (LEAs), through this IB, FEMA will apply the same requirements and conditions to all controlled equipment regardless of the recipient's designation as, or affiliation with, law enforcement to ensure a consistent approach toward controlled equipment expenditures and use by all FEMA recipients.

I. Application Requirements for Controlled Equipment Expenditures

Any entity[3] that applies for FEMA grants for controlled equipment expenditures must complete FEMA Form (FF) 087-0-0-1 *Controlled Equipment Request Form* and submit it to the State Administrative Agency (SAA) or to FEMA if applying through a grant program whose applications are made directly to FEMA. The form may be submitted at the time of application for the award or can be submitted at any time during the award period of performance as long as it is prior to the acquisition of the controlled equipment.

Using FF 087-0-0-1, the entity must include a clear and persuasive explanation demonstrating the need for the controlled equipment and the purpose that it will serve. The entity will be asked to supply information about the current inventory of controlled equipment acquired through Federal programs, pending applications for controlled equipment, previous denials for controlled equipment, and any findings of violations of federal civil rights statutes or programmatic terms involving controlled equipment.

[3] Entity refers to the recipient or subrecipient that will be the end user of the controlled equipment. *Recipient* - a non-federal entity that receives a federal award directly from a federal awarding agency to carry out an activity under a federal program. The term recipient does not include subrecipients. See also §200.69 Non-Federal entity. *Subrecipient* - a non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency.

Additionally, using FF 087-0-0-1, the entity will certify that they have adopted, or will adopt prior to acquiring controlled equipment, applicable policies and protocols, meet the training requirements, and will adhere to the records keeping requirements and after-action report requirements, as described below. The entity will also certify that it will abide by all applicable federal, state, local, and tribal laws, regulations, and programmatic terms and conditions.

II. Policy and Protocol Requirements

a) The entity must have written policies and protocols that specifically govern the (1) appropriate use of controlled equipment; (2) supervision of use of controlled equipment; (3) effectiveness evaluation; (4) auditing and accountability; and (5) transparency and notice considerations as defined below:

1) Appropriate Use of Controlled Equipment: Requesting organizations should examine scenarios in which controlled equipment will likely be deployed, the decision-making processes that will determine whether controlled equipment is used, and the potential that both use and misuse of controlled equipment could create fear and distrust in the community. Protocols should consider whether measures can be taken to mitigate that effect (e.g., keep armored vehicles at a staging area until needed) and any alternatives to the use of such equipment and tactics to minimize negative effects on the community, while preserving officer safety. (Recommendations Pursuant to EO 13688, pg. 19 – 20)

2) Supervision of Use: The protocols must specify appropriate supervision of personnel operating or utilizing controlled equipment. Supervision must be tailored to the type of equipment being used and the nature of the engagement or operation during which the equipment will be used. Policies must describe when a supervisor of appropriate authority is required to be present and actively overseeing the equipment's use in the field. (Recommendations Pursuant to EO 13688, pg. 20)

3) Effectiveness Evaluation: The protocols must articulate that the requesting organization will monitor and evaluate regularly the effectiveness and value of controlled equipment to determine whether continued deployment and use is warranted on operational, tactical, and technical grounds. Requesting organizations should review after-action reports routinely and analyze any data on, for example, how often controlled equipment is used or whether controlled equipment is used more frequently in certain law enforcement operations or in particular locations or neighborhoods. (Recommendations Pursuant to EO 13688, pg. 20)

4) Auditing and Accountability: There must be strong auditing and accountability provisions in the protocols that state that the requesting organization's personnel will agree to and comply with and be held accountable if they do not adhere to agency, state, local, tribal, territorial, and Federal policies associated with the use of controlled equipment. (Recommendations Pursuant to EO 13688, pg. 20)

5) Transparency and Notice Consideration: The protocols must articulate that the requesting organization will engage the community regarding acquisition of

controlled equipment, policies governing its use, and review of significant incidents (see Recommendation 2.3 below), with the understanding that there are reasonable limitations on disclosures of certain information and law enforcement sensitive operations and procedures. (Recommendations Pursuant to EO 13688, pg. 20)

b) **For LEAs Only**[4]
LEA recipients or subrecipients requesting controlled equipment must have written policies and protocols on (1) Community Policing; (2) Constitutional Policing; and (3) Community Input and Impact Considerations.[5]

III. Training Requirements
The entity must provide or obtain necessary training regarding appropriate use of controlled equipment prior to the use of controlled equipment, including:

a) **Technical Proficiency**:
All entity personnel who will use controlled equipment must be trained properly on, and have achieved technical proficiency in, the operation or utilization of the controlled equipment at issue prior to its use. The controlled equipment may be used for technical training and certification prior to deployment for official use.

b) **Scenario-Based Training**:
To the extent possible, trainings related to controlled equipment should include scenario-based training. Personnel authorizing or directing the use of controlled equipment should have enhanced scenario-based training to examine, deliberate, and review the circumstances in which controlled equipment should or should not be used. To the extent possible, the LEA specifically should include scenario-based training that combines constitutional and community policing principles with equipment-specific training.

c) **Training on Civil Rights and Liberties**
Annual, appropriate, and relevant training for grant recipient personnel on the 1st, 4th, and 14th Amendments is required. Training on how to protect the civil rights and civil liberties of those in the surrounding community where the controlled equipment will be used is vital to ensuring that the use of controlled equipment complies with constitutional standards for the protection of civil rights and civil liberties. Training objectives should define and explain relevant concepts and demonstrate the application of such concepts through equipment-based scenarios to show appropriate and proper use of controlled equipment by both law enforcement and non-law enforcement personnel and the negative effects and consequences of misuse.

[4] LEAs include contracted LEAs or LEAs activated as part of a mutual aid agreement or memorandum of understanding using or operating grant funded controlled equipment.

[5] *Community Policing* is the concept that trust and mutual respect between police and the communities they serve are critical to public safety. Community policing fosters relationships between law enforcement and the local community which promotes public confidence in LEAs and, in turn, enhances LEAs ability to investigate crimes and keep the peace. *Constitutional Policing* protocols emphasize that all police work should be carried out in a manner consistent with the requirements of the U.S. Constitution and federal law. Policies must include protocols on First Amendment, Fourth Amendment, and Fourteenth Amendment principles in law enforcement activity, as well as compliance with Federal and State civil rights laws. *Community Input and Impact* protocols must identify mechanisms that LEAs will use to engage the communities they serve to inform them and seek their input about LEAs' actions, role in, and relationships with the community. Law enforcement exists to protect and serve the community, so it is axiomatic that the community should be aware of and have a say in how they are policed. LEAs should make particular efforts to seek the input of communities where controlled equipment is likely to be used so as to mitigate the effect that such use may have on public confidence in the police. This could be achieved through the LEAs' regular interactions with the public through community forums, town halls, or meetings with the Chief or community outreach divisions.

d) **For LEAs Only - General Policing Standards** (including contracted LEAs or LEAs activated as part of a mutual aid agreement or memorandum of understanding using or operating grant funded controlled equipment):

On an annual basis, all LEA personnel who may use or authorize use of controlled equipment must be trained on LEAs' General Policing Standards including (1) Community Policing; (2) Constitutional Policing; and (3) Community Input and Impact Considerations. For additional information on these General Policing Standards see https://www.bja.gov/programs/Controlled-Equipment-Standards.pdf.

IV. After-Action Report Requirements Following a Significant Event

a) The entity must collect and retain *Required Information* (see below) when a significant incident or event requires, or results in, the use of any controlled equipment purchased with DHS/FEMA grant funds. A significant incident or event includes:
- A demonstration or other public exercise of First Amendment rights or any other event that draws, or could be reasonably expected to draw, a large number of attendees or participants, such as those where advanced planning is needed;
- When unlawful or inappropriate police actions are alleged and trigger a federal compliance review, and FEMA determines that controlled equipment was used in the law enforcement activity under review; and
- Any law enforcement operation or action that involves (1) a violent encounter among civilians or between civilians and the police; and/or (2) a use-of-force that causes death or serious bodily injury.[6]

b) Required Information to be collected and retained for after-action review (AAR):
- Identification of controlled equipment used (e.g., categories and number of units of controlled equipment used, make/model/serial number);
- Description of the significant incident/event involving the controlled equipment;
- Identification of personnel who used the equipment and, if possible, a list of those involved in the incident; and
- Result of controlled equipment use (e.g., arrests, use-of-force, victim extraction, injuries).

V. Record Keeping Requirements

a) **Documented Policies and Protocols Records**:
The entity must retain written policies and procedures that govern the (1) Appropriate use of controlled equipment; (2) Supervision of use of controlled equipment; (3) Effectiveness evaluation; (4) Auditing and accountability; and (5) Transparency and notice considerations.

Additionally, upon request, LEAs must provide a copy of the General Policing Standards and Specific Controlled Equipment Standards, and any related policies and protocols, to DHS/FEMA.

[6] Serious bodily injury, as defined by 18 U.S.C. § 1365(h), is the bodily injury which involves (a) a substantial risk of death; (b) extreme physical pain; (c) protracted and obvious disfigurement; or (d) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

b) **Training Records**:
The entity must retain comprehensive training records, either in the personnel file of the individual who was trained or by the recipient's training division or equivalent entity, for a period of at least three (3) years after training date, and must provide a copy of these records, upon request, to DHS/FEMA.

c) **After-Action Review Records**:
The entity must retain After-Action Review reports with the Required Information (IV.a.) following any significant incident report for a period of at least three (3) years and must provide a copy of these records, upon request, to DHS/FEMA. This information shall also be made available to the community served in accordance with applicable policies and protocols including considerations regarding the disclosure of sensitive information.

VI. Additional Requirements for SUAS
All requests to purchase SUAS with FEMA grant funding must also include the policies and procedures in place to safeguard individuals' privacy, civil rights, and civil liberties of the jurisdiction that will purchase, take title to, or otherwise use the SUAS equipment, see Presidential Memorandum: Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties, in Domestic Use of Unmanned Aircraft Systems, issued February 20, 2015.

VII. Regional Capability
If the controlled equipment will provide a regional or multi-jurisdictional capability, all entities in the regional sharing agreement must meet the aforementioned policy and protocol requirements, training requirements, after-action analysis report requirements, and record keeping requirements. Acquisition of controlled equipment – due to size, cost, scarcity, or other reason – for use in regional sharing arrangements, is strongly encouraged.

VIII. Disposition of Controlled Equipment
Prior to the disposition of the controlled equipment, recipients must request disposition instructions from FEMA, consistent with the terms of 2 C.F.R. Part 200 and the award agreement. Recipients must abide by all applicable federal, state, local, tribal, and territorial laws, regulations, and programmatic terms when disposing of controlled equipment.

IX. Transfer of Controlled Equipment
Controlled equipment must remain in the possession of the original FEMA grant recipient and may not be transferred without written permission from FEMA. FEMA reserves the right to allow for the transfer of controlled equipment to another FEMA recipient on a case-by-case basis. The use of controlled equipment under an MOU or other regional sharing agreement as listed under section VI above does not constitute a transfer of controlled equipment.

X. Additional Requirements
All grant recipients that are authorized to utilize federal funding to procure or acquire controlled equipment must comply with 2 C.F.R. Part 200 and the terms of the award agreement with FEMA and the special conditions that are placed on the award by FEMA. The same terms and conditions with respect to the management, use, and disposition of the equipment apply to the receiving entity in instances when FEMA authorizes the transfer of controlled equipment from the recipient to another entity.

XI. Violations of Use of Controlled Equipment

FEMA may take appropriate action according to 2 C.F.R. Part 200 for violations of any federal statutes, regulations of the terms and conditions of the award related to controlled equipment (e.g., failure to adopt required protocols, unauthorized transfers).

For alleged violations of law involving the grant-funded controlled equipment, including civil rights laws, the matter will be referred for investigation to FEMA's Office of Civil Rights (OCR), DHS's Office of Civil Rights and Civil Liberties, other appropriate compliance office, or the U.S. Department of Justice. If the investigation results in a finding that the recipient violated a civil rights or other relevant statute, appropriate remedies for noncompliance will be taken against the recipient. The actions or suspension will last until FEMA determines that the violation has been corrected.

FEMA will continue to collaborate with federal agency partners to ensure that there is a consistent and reasonable approach to the restrictions placed on controlled equipment expenditures while continuing to support these investments when there is a justifiable need. Further, FEMA will continue to maintain an awareness of the evolving policy developments related to controlled equipment expenditures and keep grant recipients up to date on future developments.

Questions regarding this IB, whether the IB applies to a particular project, or guidance on controlled equipment expenditures may be directed to the appropriate FEMA GPD Program Analyst or the Centralized Scheduling and Information Desk at askcsid@fema.gov or 1-800-368-6498.

Grant Programs Directorate

Controlled Equipment Requirements Overview

April 2016

Purpose and Overview

Purpose:

To provide State Administrative Agencies, other direct recipients, and subrecipients with an overview of how the Federal Emergency Management Agency (FEMA) will implement the new Controlled Equipment Requirements.

Overview:

- Executive Order
- Law Enforcement Equipment Working Group
- Prohibited and Controlled Equipment Lists
- Information Collection Requirements
- Additional Requirements for SUAS
- Information Bulletin 407
- FEMA Form 087-0-0-1
- Monitoring
- Non-Compliance
- Questions

Executive Order 13688- Federal Support for Local law Enforcement Equipment Acquisition

January 16, 2015 Executive Order (EO) 13688: Federal Support for Local Law Enforcement Equipment Acquisition

- Protests in Ferguson, Missouri, in August 2014. At times, the law enforcement response to those protests was characterized as a "military-style" operation
  - Law enforcement officers atop armored vehicles,
  - Officers wearing uniforms often associated with the military
  - Holding military-type weapons
- Civil rights organizations have advocated for change long before this

May 2015 Recommendations Pursuant to Executive Order 13688

Collectively established a *Prohibited Equipment List* and a *Controlled Equipment List* and identified actions necessary to improve Federal support for the appropriate acquisition, use, and transfer of controlled equipment by state, local, tribal, territorial, and private grant recipients.

July-Sept 2015 FEMA Implementation team held regular conference calls resulting in the creation of Information Bulletin 407, FEMA Form 087-0-0-1, and the review and approval processes.

Executive Order 13688- Federal Support for Local law Enforcement Equipment Acquisition

The information has a multi-fold purpose:

1. Harmonization of federal acquisition processes,
2. Institution of required protocols and training for grant recipients that acquire Controlled Equipment,
3. Increase federal oversight and compliance.

Addressing Public Perception of Controlled Equipment:

- Appearance of military-style equipment may undermine community trust when used in support of civilian law enforcement activities.
- Military-style equipment can have an undesired intimidating effect on the general public if used inappropriately or indiscriminately.

Law Enforcement Equipment Working Group

- EO 13688 Established the Law Enforcement Equipment Working Group co-chaired by the Secretary of Defense, Attorney General, and Secretary of Homeland Security.

- The purpose of the Law Enforcement Equipment Working Group is to facilitate ongoing coordination among the various Federal Agencies to ensure that a uniform process is in place to assess the adequacy of the justification in each application.

- This coordination includes sharing of required information to prohibit duplication of grant funding for controlled equipment or potentially granting of funding for controlled equipment to an entity that has been sanctioned by another agency.

- Engages Stakeholders from the Law Enforcement Community

Prohibited Equipment List (PEL)- 7 Categories

Equipment	Description
Tracked Armored Vehicles	Vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
Weaponized Aircraft, Vessels, and Vehicles of Any Kind	These items will be prohibited from purchase or transfer with weapons installed.
Firearms of .50-Caliber or Higher	
Ammunition of .50-Caliber or Higher	
Grenade Launchers	Firearm or firearm accessory designed to launch small explosive projectiles
Bayonets	Large knives designed to be attached to the muzzle of a rifle/shotgun/long gun for the purposes of hand-to-hand combat
Camouflage Uniforms: Applies to digital/urban-style camouflage uniform	Camouflage uniforms for use in areas where they do not actually camouflage the wearer are prohibited. Example: Woodland patterned uniforms for use in urban terrain would be prohibited but woodland camouflage in forest areas for narcotic eradication programs would not be prohibited.

Controlled Equipment List (CEL) – 12 Categories

Equipment	Description
Manned Aircraft, Fixed Wing	Powered aircraft with a crew aboard, such as airplanes, that use a fixed wing for lift. AEL # 18AC-00-ACFT
Manned Aircraft, Rotary Wing	Powered aircraft with a crew aboard, such as helicopters, that use a rotary wing for lift. AEL # 18AC-00-ACFT
Unmanned Aerial Vehicles	A remotely piloted, powered aircraft without a crew aboard. (Includes Small Unmanned Aerial Systems (SUAS)). AEL # 03OE-07-SUAS
Armored Vehicles, Wheeled	Any wheeled vehicle either purpose-built or modified to provide ballistic protection to its occupants, such as a Mine-Resistant Ambush Protected (MRAP) vehicle or an Armored Personnel Carrier. AEL # 12VE-00-SPEC and AEL # 12VE-00-MISS
Tactical Vehicles, Wheeled	A vehicle purpose-built to operate on- and off-road in support of military [-style] operations, such as a HMMWV (“Humvee”), 2.5-ton truck, 5-ton truck, or a vehicle with a breaching or entry apparatus attached. AEL # 12VE-00-SPEC and AEL # 12VE-00-MISS
Command and Control Vehicles	Any wheeled vehicle either purpose-built or modified to facilitate the operational control and direction of public safety units responding to an incident. AEL # 12VE-00-CMDV

Controlled Equipment List (CEL) – 12 Categories

Equipment	Description
Specialized Firearms and Ammunition Under .50-Caliber	Weapons and corresponding ammunition for specialized operations or assignment. This excludes service-issued handguns, rifles, or shotguns that are issued or approved by the agency to be used during the course of regularly assigned duties. **Excludes firearms and ammunition for service-issued weapons.** **Not allowable under any FEMA preparedness grant program.**
Explosives and Pyrotechnics	Includes "flash bangs" as well as explosive breaching tools often used by special operations units. AEL # 02EX-00-EXTR
Breaching Apparatus	Tools designed to provide law enforcement rapid entry into a building or through a secured doorway. These tools may be mechanical in nature (a battering ram),ballistic (slugs), or explosive. AEL # 02EX-00-EXEN and 02EX-00-EXTR
Riot Batons	Non-expandable baton of greater length (generally in excess of 24 inches) than service-issued types and are intended to protect its wielder during melees by providing distance from assailants. **Excludes service-issued telescopic or fixed-length straight Batons.** **Not allowable under any FEMA preparedness grant program.**
Riot Helmets	Helmets designed to protect the wearer's face and head from Injury during melees from projectiles including rocks, bricks, liquids, etc. Riot helmets include a visor which protects the face. **Not allowable under any FEMA preparedness grant program. While Ballistic Helmets are allowable, they are restricted from use for riot suppression. See AEL # 01LE-01-HLMT**
Riot Shields	Shields intended to protect wielders from their head to their knees in melees. Most are designed for the protection of the user from projectiles including rocks, bricks, and liquids. Some afford limited ballistic protection as well**.** Riot shields may also be used as an offensive weapon to push opponents. **Not allowable under any FEMA preparedness grant program. While Ballistic Shields are allowable, they are restricted from use for riot suppression. See AEL # 01LE-01-SHLD**

Information Collection Requirements

Categories of Required Information:

- General Information and Recipient and Sub-Recipient Contact Information
- Policy & Protocol Requirements
- Training Requirements
- After Action Report Requirements
- Record Keeping Requirements
- Additional Requirements for SUAS
- Regional Capability
- Disposition of Controlled Equipment
- Transfer of Controlled Equipment
- Violations

Definitions are available in Information Bulletin 407, FEMA Form 087-0-0-1, and the Recommendations Pursuant to EO 13688 report.

Additional Requirements for Small Unmanned Aircraft Systems

All requests to purchase SUAS with FEMA grant funding must also include the policies and procedures in place to safeguard individuals' privacy, civil rights, and civil liberties of the jurisdiction that will purchase, take title to, or otherwise use the SUAS equipment.

Presidential Memorandum: Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties, in Domestic Use of Unmanned Aircraft Systems, issued February 20, 2015.

The Presidential Memorandum is available at :
https://www.whitehouse.gov/the-press-office/2015/02/15/presidential-memorandum-promoting-economic-competitiveness-while-safegua

Information Bulletin 407

-Applies to all Preparedness Grant Programs awarded on or after October 1, 2015.

However, items on the Controlled Equipment List are not allowable under:

SAFER

FP&S

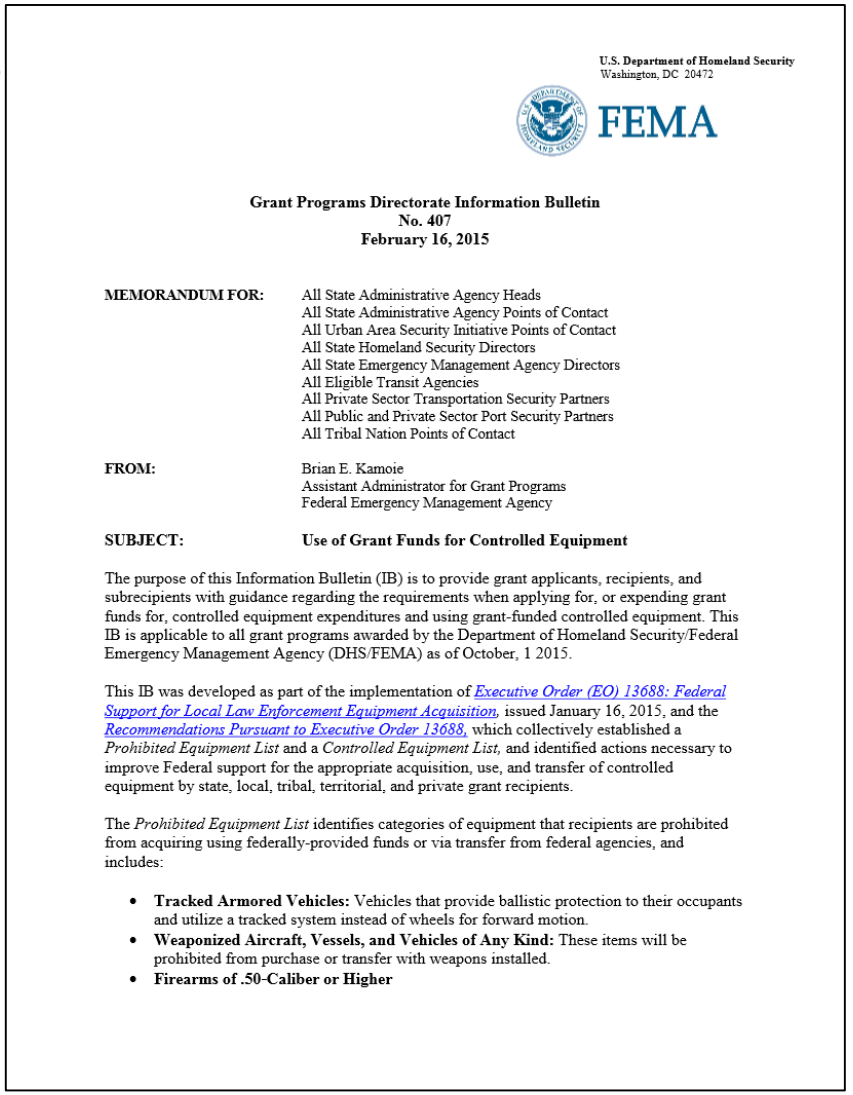
NSGP

-Incorporated by reference into applicable:

FY 2016 Notices of Funding Opportunity (NOFO)

FY 2016 Key Changes Documents

-Revised Information Bulletin 407 issued on 3/9/2016.



U.S. Department of Homeland Security
Washington, DC 20472

FEMA

Grant Programs Directorate Information Bulletin
No. 407
February 16, 2015

MEMORANDUM FOR: All State Administrative Agency Heads
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All State Homeland Security Directors
All State Emergency Management Agency Directors
All Eligible Transit Agencies
All Private Sector Transportation Security Partners
All Public and Private Sector Port Security Partners
All Tribal Nation Points of Contact

FROM: Brian E. Kamoie
Assistant Administrator for Grant Programs
Federal Emergency Management Agency

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This IB was developed as part of the implementation of *Executive Order (EO) 13688: Federal Support for Local Law Enforcement Equipment Acquisition*, issued January 16, 2015, and the *Recommendations Pursuant to Executive Order 13688*, which collectively established a *Prohibited Equipment List* and a *Controlled Equipment List*, and identified actions necessary to improve Federal support for the appropriate acquisition, use, and transfer of controlled equipment by state, local, tribal, territorial, and private grant recipients.

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- **Tracked Armored Vehicles:** Vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- **Weaponized Aircraft, Vessels, and Vehicles of Any Kind:** These items will be prohibited from purchase or transfer with weapons installed.
- **Firearms of .50-Caliber or Higher**

FEMA Form 087-0-0-1: Controlled Equipment Request

FORM BASICS

- FEMA Form 087-0-0-1 was approved for use by the Office of Management and Budget (OMB) on 3/1/2016.

- OMB Control Number: 1660-0141
- OMB Expiration Date: 09/30/2016
- Hour Burden: 45 minutes

- FEMA is working toward full Paperwork Reduction Act which would extend the Form's expiration date.

- FEMA Form 087-0-0-1: Controlled Equipment Request is available for download at https://www.fema.gov/preparedness-non-disaster-grants

FEMA Form 087-0-0-1: Controlled Equipment Request

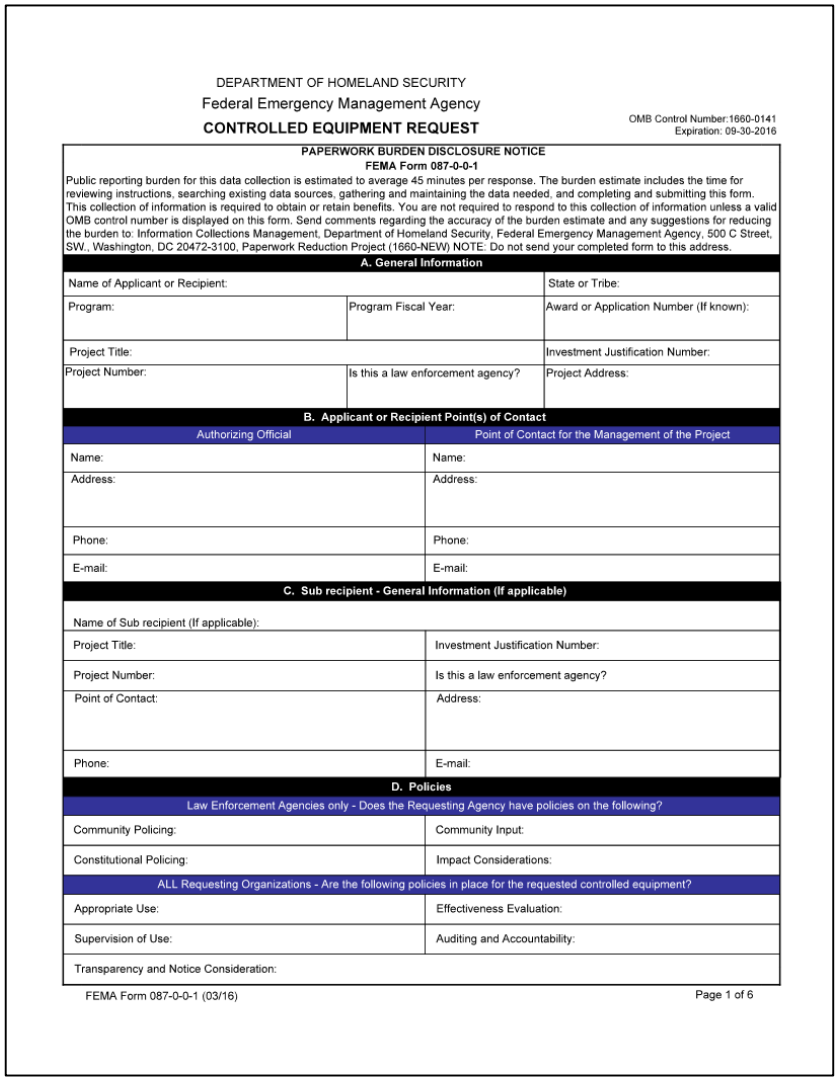
COMPLETING AND MAINTAINING THE FORM

- FEMA Form 087-0-0-1: Controlled Equipment Request is to be completed and signed by the Authorizing Official for the State Administrative Agency (SAA) or other direct grant recipient.

- Acquisition of the controlled equipment may not occur prior to the State Administrative Agency or other direct grant recipient receiving the signed Form and letter from Grant Programs Directorate approving the acquisition.

- The SAA or other direct grant recipient is responsible for verifying that the subrecipient (as applicable) has or will implement all requirements prior to acquisition including verification that the governing body has provided approval and is also responsible for maintaining the approved Form

FEMA Form 087-0-0-1: Controlled Equipment Request



DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
CONTROLLED EQUIPMENT REQUEST

OMB Control Number:1660-0141
Expiration: 09-30-2016

PAPERWORK BURDEN DISCLOSURE NOTICE
FEMA Form 087-0-0-1

Public reporting burden for this data collection is estimated to average 45 minutes per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. This collection of information is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472-3100, Paperwork Reduction Project (1660-NEW) NOTE: Do not send your completed form to this address.

A. General Information

Name of Applicant or Recipient:		State or Tribe:
Program:	Program Fiscal Year:	Award or Application Number (If known):
Project Title:		Investment Justification Number:
Project Number:	Is this a law enforcement agency?	Project Address:

B. Applicant or Recipient Point(s) of Contact

Authorizing Official	Point of Contact for the Management of the Project
Name:	Name:
Address:	Address:
Phone:	Phone:
E-mail:	E-mail:

C. Sub recipient - General Information (If applicable)

Name of Sub recipient (If applicable):

Project Title:	Investment Justification Number:
Project Number:	Is this a law enforcement agency?
Point of Contact:	Address:
Phone:	E-mail:

D. Policies

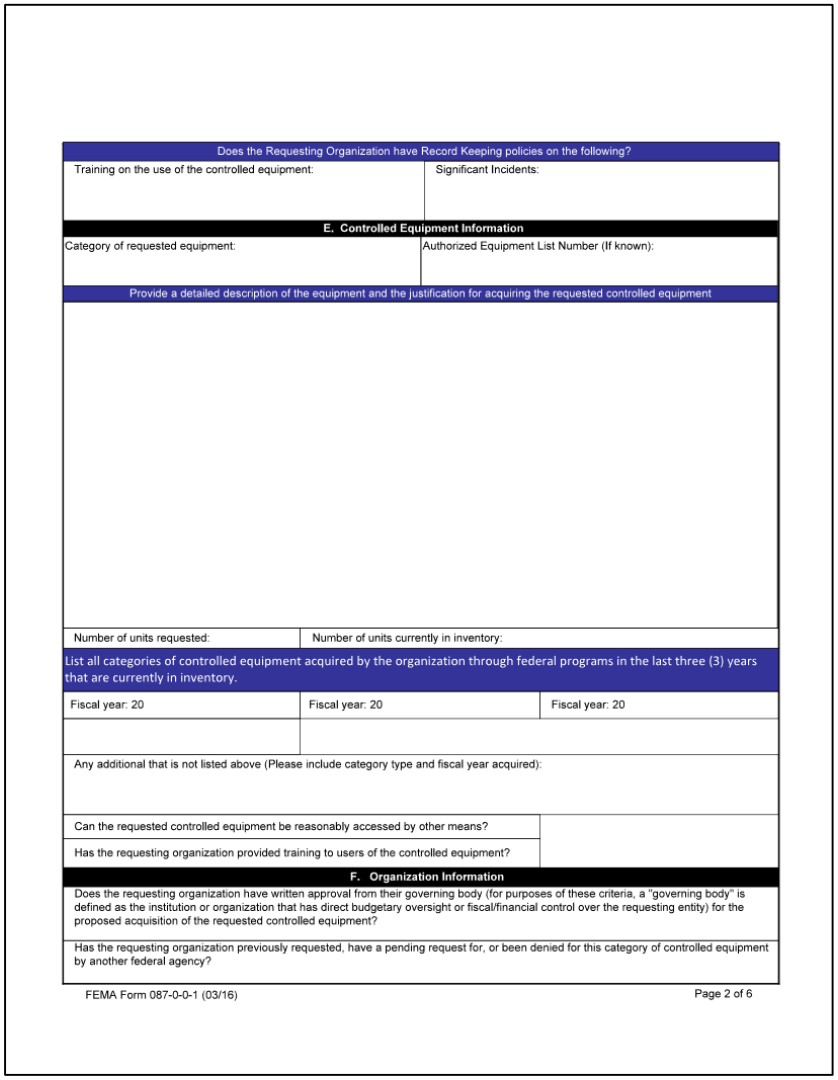
Law Enforcement Agencies only - Does the Requesting Agency have policies on the following?

Community Policing:	Community Input:
Constitutional Policing:	Impact Considerations:

ALL Requesting Organizations - Are the following policies in place for the requested controlled equipment?

Appropriate Use:	Effectiveness Evaluation:
Supervision of Use:	Auditing and Accountability:
Transparency and Notice Consideration:	

FEMA Form 087-0-0-1 (03/16) Page 1 of 6



Does the Requesting Organization have Record Keeping policies on the following?

Training on the use of the controlled equipment:	Significant Incidents:

E. Controlled Equipment Information

Category of requested equipment:	Authorized Equipment List Number (If known):

Provide a detailed description of the equipment and the justification for acquiring the requested controlled equipment

Number of units requested:	Number of units currently in inventory:

List all categories of controlled equipment acquired by the organization through federal programs in the last three (3) years that are currently in inventory.

Fiscal year: 20	Fiscal year: 20	Fiscal year: 20

Any additional that is not listed above (Please include category type and fiscal year acquired):

Can the requested controlled equipment be reasonably accessed by other means?	
Has the requesting organization provided training to users of the controlled equipment?	

F. Organization Information

Does the requesting organization have written approval from their governing body (for purposes of these criteria, a "governing body" is defined as the institution or organization that has direct budgetary oversight or fiscal/financial control over the requesting entity) for the proposed acquisition of the requested controlled equipment?
Has the requesting organization previously requested, have a pending request for, or been denied for this category of controlled equipment by another federal agency?

FEMA Form 087-0-0-1 (03/16) Page 2 of 6

FEMA Form 087-0-0-1: Controlled Equipment Request

F. Organization Information (Continued)

If previously denied, provide an explanation of why the request was denied, including which Agency made the denial:

Has the requesting organization ever been in violation of a federal civil rights statute or program during the past 3 years?

If yes, provide any disposition that was reached or corrective action:

Will the requested controlled equipment provide a regional or multi-jurisdictional capability?

If yes, provide the following information regarding the controlled equipment:

Regional Geographic size to be served:	Regional Population to be served:

Provide the number of individuals with access:

G. Regional Sharing Agreement

Have all entities within the regional sharing agreement implemented all required protocols, training, records keeping, and information collection and retention requirements prior to acquisition of the controlled equipment?

H. Certification Statement

By signing below, the authorized official certifies that the requesting organization:

- Has adopted the required Policies and Protocols Requirements;
- Meets the Training Requirements;
- Will adhere to the Records Keeping Requirements;
- Will adhere to After-Action Report Requirements;
- If applicable, all entities within the regional sharing agreement have implemented or will implement all required protocols, training, records keeping, and information collection and retention requirements prior to acquisition of the controlled equipment.
- Will abide by all applicable federal, state, local, and tribal laws, regulations, programmatic terms and conditions, and all requirements outlined in the Grant Programs Directorate Information Bulletin 407.

Authorizing Official (Print Name):	Signature:	Date:

I. FEMA Grant Programs Director Staff only

Reviewed By (Print Name):	Position Title and Organization:	Date:

Controlled Equipment Request -- Instructions

A. General Information - The information in this section provides background and context for the investment(s) requested or awarded.

- ***Program Fiscal Year:*** Fiscal year of the grant award or application. (Ex. If you have a 2014 grant award the Program FY is 2014 or if you are applying for a 2016 Grant Award your Program FY is 2016).
- ***Recipient:*** A non-Federal entity that receives a Federal award directly from a Federal awarding agency to carry out an activity under a Federal program. The term recipient does not include subrecipients. See also§200.69 Non-Federal entity. (2 CFR § 200.86)

B. Applicant or Recipient Point of Contact - Identify the organization's Authorizing Official, and primary point of contact for management of the project(s), including contact information.

- ***Authorizing Official:*** authorize to sign grant agreement on behalf of the organization.

C. Subrecipient - Identify subrecipient if applicable.

- ***Subrecipient:*** A non-Federal entity that receives a subaward from a pass - through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency. (2 CFR § 200.93)

D. Policies - Law Enforcement Agencies and other requesting organizations identify the following policies.

- ***Community Policing:*** The concept that trust and mutual respect between police and the communities they serve are critical to public safety. Community policing fosters relationships between law enforcement and the local community which promotes public confidence in LEAs and, in turn, enhances LEAs ability to investigate crimes and keep the peace. (Recommendations Pursuant to Recommendations Pursuant to Executive Order 13688, pg.19)
- ***Constitutional Policing:*** Protocols emphasize that all police work should be carried out in a manner consistent with the requirements of the U.S. Constitution and federal law. Policies must include protocols on First Amendment, Fourth Amendment, and Fourteenth Amendment principles in law enforcement activity, as well as compliance with Federal and State civil rights laws. (Recommendations Pursuant to Executive Order 13688, pg. 19)
- ***Community Input and Impact:*** Protocols must identify mechanisms that LEAs will use to engage the communities they serve to inform them and seek their input about LEAs' actions, role in, and relationships with the community. Law enforcement exists to protect and serve the community, so it is axiomatic that the community should be aware of and have a say in how they are policed. LEAs should make particular efforts to seek the input of communities where controlled equipment is likely to be used so as to mitigate the effect that such use may have on public confidence in the police. This could be achieved through the LEA's regular interactions with the public through community forums, town halls, or meetings with the Chief or community outreach divisions. (Recommendations Pursuant to Executive Order 13688, pg. 19)

FEMA Form 087-0-0-1: Controlled Equipment Request

- ***Appropriate Use of Controlled Equipment:*** Requesting organizations should examine scenarios in which controlled equipment will likely be deployed, the decision-making processes that will determine whether controlled equipment is used, and the potential that both use and misuse of controlled equipment could create fear and distrust in the community. Protocols should consider whether measures can be taken to mitigate that effect (e.g., keep armored vehicles at a staging area until needed) and any alternatives to the use of such equipment and tactics to minimize negative effects on the community, while preserving officer safety. (Recommendations Pursuant to Executive Order 13688, pg. 19 - 20)

- ***Supervision of Use:*** The protocols must specify appropriate supervision of personnel operating or utilizing controlled equipment. Supervision must be tailored to the type of equipment being used and the nature of the engagement or operation during which the equipment will be used. Policies must describe when a supervisor of appropriate authority is required to be present and actively overseeing the equipment's use in the in the field. (Recommendations Pursuant to Executive Order 13688, pg. 20)

- ***Effectiveness Evaluation:*** The protocols must articulate that the requesting organization will regularly monitor and evaluate the effectiveness and value of controlled equipment to determine whether continued deployment and use is warranted on operational, tactical, and technical grounds. Requesting organizations should routinely review after-action reports and analyze any data on, for example, how often controlled equipment is used or whether controlled equipment is used more frequently in certain law enforcement operations or in particular locations or neighborhoods. (Recommendations Pursuant to Executive Order 13688, pg. 20)

- ***Auditing and Accountability:*** There must be strong auditing and accountability provisions in the protocols which state that the requesting organization's personnel will agree to and comply with and be held accountable if they do not adhere to agency, State, local, Tribal, and Federal policies associated with the use of controlled equipment. (Recommendations Pursuant to Executive Order 13688, pg. 20)

- ***Transparency and Notice:*** The protocols must articulate that the requesting organization will engage the community regarding acquisition of controlled equipment, policies governing its use, and review of Significant Incidents (see Recommendation 2.3 below), with the understanding that there are reasonable limitations on disclosures of certain information and law enforcement sensitive operations and procedures. (Recommendations Pursuant to Executive Order 13688, pg. 20)

- ***Significant Incident:*** Any law enforcement operation or action that involves (a) a violent encounter among civilians or between civilians and the police; (b) a use-of-force that causes death or serious bodily injury; (c) a demonstration or other public exercise of First Amendment rights; or (d) an event that draws, or could be reasonably expected to draw, a large number of attendees or participants, such as those where advanced planning is needed. (Recommendations Pursuant to Executive Order 13688, pg. 22 - 23)

E. Controlled Equipment Information - Applicant or recipient/subrecipient identify and describe the requested equipment.

- ***Authorized Equipment List:*** The Authorized Equipment List (AEL) is a list of approved equipment types allowed under FEMA's preparedness grant programs. http://beta.fema.gov/authorized-equipment-list

F. Organization Information - Describe pending or applied control equipment request.

- ***Corrective Action:*** Action taken by the auditee that:
  (a) Corrects identified deficiencies;
  (b) Produces recommended improvements; or
  (c) Demonstrates that audit findings are either invalid or do not warrant auditee action. (2 CFR § 200.26)

G. Regional Sharing - Identify regional sharing amongst entities.

- ***Regional Sharing:*** The requesting organization must indicate whether the requested controlled equipment is being acquired to provide a regional or multijurisdictional capability. (Recommendations Pursuant to Executive Order 13688, pg. 28 - 29)

H. Certification Statement - Authorizing Official certify information.

- ***After-Action Review:*** (1) Requesting organizations must collect and retain "Required Information" (described below) when law enforcement activity that involves a "Significant Incident" requires, or results in, the use of any Federally-acquired controlled equipment in the requesting organization's inventory (or any other controlled equipment in the same category as the Federally-acquired controlled equipment). (2) When unlawful or inappropriate police actions are alleged and trigger a Federal compliance review, and the Federal agency determines that controlled or prohibited equipment was used in the law enforcement activity under review, the requesting organization must produce or generate a report(s) containing Required Information. (Recommendations Pursuant to Executive Order 13688, pg. 22)

- ***Record-Keeping Requirement:*** Requesting Organizations must retain "Significant Incident" reports and Required Information for a period of at least three (3) years and must provide a copy of these records, upon request, to the Federal agency that supplied the equipment/funds. This information also should be made available to the community the requesting organization serves in accordance with applicable policies and protocols including considerations regarding the disclosure of sensitive information. (Recommendations Pursuant to Executive Order 13688, pg. 23)

Form Intake Process

The SAA or other direct recipient is responsible verifying that the subrecipient (as applicable) has implemented or will implement all requirements identified in Information Bulletin 407 prior to acquisition including verification that the governing body has provided approval before submitting the form to FEMA.

Grant applicants will upload FEMA Form 087-0-0-1 to Non Disaster (ND) Grants along with their **completed application package in the** Non-Disaster (ND) Grants System**.** Applicants in need of technical support with the ND Grants System, please contact ndgrants@fema.gov or (800) 865-4076. Completed Emergency Management Performance Grant applications must be submitted no later than 11:59 p.m. EDT, March 18, 2016. All other preparedness grant programs must be completed and submitted no later than 11:59 p.m. EDT, April 25, 2016.

Review

Program Analysts (PA):

1. Review each FF 087-0-0-1 for completeness (completeness means there are responses to all questions, and responses are either “Yes”, or “Will Implement Prior to Acquisition” to all Yes/No/Will Implement Questions in Sections D, E, and F). FF 087-0-0-1 forms are not considered complete, if they have responses of “No” to any (Yes/No/Will Implement/Obtain) Questions in Sections D, E, and F.
2. For SUAS, ensure grantee has provided copies of policies and procedures in place to safeguard individuals’ privacy, civil rights, and civil liberties.
3. PA reviews narrative justification for sufficiency.
4. PAs conduct reasonable search (grant files, internet search) to determine if there are any of the same type of item within a reasonable response time, if appropriate i.e. applicable to aircraft or bearcat but not battering rams.
5. PA submits recommendation through Branch Chief for routing to the Director of Preparedness Grants Division.

Approval and Notification

Director of Preparedness Grants Division:

1. Final approval or denial. Signs form if approved.

Program Analyst:

1. Once Controlled Equipment Request Form has been approved or disapproved by Director, PA will notify grantee in writing of the outcome.
2. Provide a copy of the signed Form 087-0-0-1 to the SAA or other direct recipient.

Estimated Review and Approval time: **30 Calendar Days if complete**, longer if review by Department of Justice or DHS Civil Rights and Civil Liberties is required.

Monitoring

FEMA GPD will expand its programmatic monitoring protocols to validate recipient compliance with the new controlled equipment requirements.

This validation will take place in two phases:

Phase I:

Two additional questions will be asked with respect to each grant award in the "complexity" section of the First Line Review.

- Have any purchases of controlled equipment been approved using funds from this grant award?
- If yes, what percentage of total award funds are being used to purchase controlled equipment?

Monitoring

The first of these questions will be weighted such that it has only a small impact on prioritization scores. The second will receive greater weight, as large controlled equipment purchases present a greater risk to grant compliance and success. Precise weights will be determined in conjunction with leadership as part of PGD's annual analysis of the prioritization risk model.

Phase II:

If a grant award used to purchase controlled equipment is subject to advanced monitoring (desk review or site visit), the compliance review will require verification that recipient has implemented policies and procedures to safeguard the public. As they represent both an administrative challenge and a leadership priority, projects involving large controlled equipment purchases will be prioritized for increased scrutiny under project-level advanced monitoring.

Monitoring

In addition to validating compliance with controlled equipment purchase requirements, this subset of monitoring questions will allow GPD to collect and analyze the number of awards and the amount and percentage of total grant funds used to purchase controlled equipment.

The first First Line Review cycle to monitor grant funds awarded after October 1, 2015 will be the FY18 cycle, to be conducted in the second quarter of FY17. The monitoring changes listed above will therefore be implemented in the FY18 monitoring cycle.

Non-Compliance

FEMA may take appropriate action pursuant to 2 C.F.R. Part 200 for violations of any federal statutes, regulations of the terms and conditions of the award related to controlled equipment (e.g., failure to adopt required protocols, unauthorized transfers).

For alleged violations of law involving the grant-funded controlled equipment, including civil rights laws, the matter will be referred for investigation to FEMA's Office of Civil Rights (OCR), DHS's Office of Civil Rights and Civil Liberties, other appropriate compliance office, or the U.S. Department of Justice.

Examples of actions FEMA can take to ensure compliance:

-Disallowance of Costs
-Increased Monitoring
-Termination of Grant Award

Questions?

For additional questions regarding Information Bulletin 407, FEMA Form 087-0-0-1, or this presentation, please contact the appropriate FEMA GPD Program Analyst or the Centralized Scheduling and Information Desk at askcsid@fema.gov or 1-800-368-6498.

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Executive Order 13688—Federal Support for Local Law Enforcement Equipment Acquisition

January 16, 2015

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to better coordinate Federal support for the acquisition of certain Federal equipment by State, local, and tribal law enforcement agencies, I hereby order as follows:

Section 1. Policy. For decades, the Federal Government has provided equipment to State, local, and tribal law enforcement agencies (LEAs) through excess equipment transfers (including GSA donations), asset forfeiture programs, and Federal grants. These programs have assisted LEAs as they carry out their critical missions to keep the American people safe. The equipment acquired by LEAs through these programs includes administrative equipment, such as office furniture and computers. But it also includes military and military-styled equipment, firearms, and tactical vehicles provided by the Federal Government, including property covered under 22 CFR Part 121 and 15 CFR Part 774 (collectively, "controlled equipment").

The Federal Government must ensure that careful attention is paid to standardizing procedures governing its provision of controlled equipment and funds for controlled equipment to LEAs. Moreover, more must be done to ensure that LEAs have proper training regarding the appropriate use of controlled equipment, including training on the protection of civil rights and civil liberties, and are aware of their obligations under Federal nondiscrimination laws when accepting such equipment. To this end, executive departments and agencies (agencies) must better coordinate their efforts to operate and oversee these programs.

Sec. 2. Law Enforcement Equipment Working Group. (a) There is established an interagency Law Enforcement Equipment Working Group (Working Group) to identify agency actions that can improve Federal support for the acquisition of controlled equipment by LEAs, including by providing LEAs with controlled equipment that is appropriate to the needs of their community; ensuring that LEAs are properly trained to employ the controlled equipment they acquire; ensuring that LEAs adopt organizational and operational practices and standards that prevent the misuse or abuse of controlled equipment; and ensuring LEA compliance with civil rights requirements resulting from receipt of Federal financial assistance. The Working Group shall be co-chaired by the Secretary of Defense, Attorney General, and Secretary of Homeland Security. In addition to the Co-Chairs, the Working Group shall consist of the following members:

(i) the Secretary of the Treasury;

(ii) the Secretary of the Interior;

(iii) the Secretary of Education;

(iv) the Administrator of General Services;

(v) the Director of the Domestic Policy Council;

(vi) the Director of the Office of National Drug Control Policy;

(vii) the Director of the Office of Management and Budget;

(viii) the Assistant to the President for Intergovernmental Affairs and Public Engagement;

(ix) the Assistant to the President for Homeland Security and Counterterrorism;

(x) the Assistant to the President and Chief of Staff of the Office of the Vice President; and

(xi) the heads of such other agencies and offices as the Co-Chairs may, from time to time, designate.

(b) A member of the Working Group may designate a senior-level official who is from the member's agency or office and is a full-time officer or employee of the Federal Government to perform the day-to-day Working Group functions of the member. At the direction of the Co-Chairs, the Working Group may establish subgroups consisting exclusively of Working Group members or their designees under this subsection, as appropriate.

(c) There shall be an Executive Director of the Working Group, to be appointed by the Attorney General. The Executive Director shall determine the Working Group's agenda, convene regular meetings, and supervise its work under the direction of the Co-Chairs. The Department of Justice shall provide funding and administrative support for the Working Group to the extent permitted by law and within existing appropriations. Each agency shall bear its own expenses for participating in the Working Group.

Sec. 3. Mission and Function of the Working Group. (a) The Working Group shall provide specific recommendations to the President regarding actions that can be taken to improve the provision of Federal support for the acquisition of controlled equipment by LEAs, which may include, to the extent permitted by law:

(i) developing a consistent, Government-wide list of controlled equipment allowable for acquisition by LEAs, as well as a list of those items that can only be transferred with special authorization and use limitations;

(ii) establishing a process to review and approve proposed additions or deletions to the list of controlled equipment developed pursuant to paragraph (i) of this subsection;

(iii) harmonizing Federal programs so that they have consistent and transparent policies with respect to the acquisition of controlled equipment by LEAs;

(iv) requiring after-action analysis reports for significant incidents involving federally provided or federally funded controlled equipment;

(v) developing policies to ensure that LEAs abide by any limitations or affirmative obligations imposed on the acquisition of controlled equipment or receipt of funds to purchase controlled equipment from the Federal Government and the obligations resulting from receipt of Federal financial assistance;

(vi) planning the creation of a database that includes information about controlled equipment purchased or acquired through Federal programs;

(vii) ensuring a process for returning specified controlled equipment that was acquired from the Federal Government when no longer needed by an LEA;

(viii) requiring local civilian government (non-police) review of and authorization for LEAs' request for or acquisition of controlled equipment;

(ix) requiring that LEAs participating in Federal controlled equipment programs receive necessary training regarding appropriate use of controlled equipment and the implementation of obligations resulting from receipt of Federal financial assistance, including training on the protection of civil rights and civil liberties;

(x) providing uniform standards for suspending LEAs from Federal controlled equipment programs for specified violations of law, including civil rights laws, and ensuring those standards are implemented consistently across agencies; and

(xi) creating a process to monitor the sale or transfer of controlled equipment from the Federal Government or controlled equipment purchased with funds from the Federal Government by LEAs to third parties.

(b) The Working Group shall engage with external stakeholders, including appropriate State officials, law enforcement organizations, civil rights and civil liberties organizations, and academics, in developing the recommendations required by subsection (a) of this section.

(c) The Working Group shall provide the President with an implementation plan for each of its recommendations, which shall include concrete milestones with specific timetables and outcomes to be achieved.

Sec. 4. Report. Within 60 days of the date of this order, the Working Group shall provide the President with any recommendations and implementation plans it may have regarding the actions set forth in section 3(a)(i) and (ii) of this order. Within 120 days of the date of this order, the Working Group shall provide the President with any additional recommendations and implementation plans as set forth in section 3 of this order.

Sec. 5. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law or Executive Order to an agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA

The White House,
January 16, 2015.

[Filed with the Office of the Federal Register, 11:15 a.m., January 21, 2015]

NOTE: This Executive order was published in the *Federal Register* on January 22.

Categories: Executive Orders : Local law enforcement equipment acquisition, Federal support.

Subjects: Civil rights : Minorities :: Relations with police; Law enforcement and crime : Law Enforcement Equipment Working Group; Law enforcement and crime : local law enforcement equipment acquisition.

DCPD Number: DCPD201500033.

IMPLEMENTATION OF RECOMMENDATIONS:

Federal Support for Local Law Enforcement Acquisition

October 1, 2015

In May 2015, a Federal inter-agency Working Group, established by Executive Order 13688 and co-chaired by the Departments of Justice, Homeland Security, and Defense with members from several other Federal agencies, delivered a report to the President entitled, "Recommendations Pursuant to Executive Order 13688: Federal Support for Local Law Enforcement Equipment Acquisition" (Report).[1] *The Report, among other things, established consistent Federal Government-wide controlled and prohibited equipment lists, harmonized procedures across Federal agencies governing the provision of controlled equipment to law enforcement agencies (LEAs), and established policy and training requirements for LEAs that acquire controlled equipment from the Federal Government. As the title and content of the Report make clear, the recommendations were designed to support LEAs in – not prevent them from –acquiring necessary equipment and using that equipment appropriately to protect and serve their communities and promote officer safety.*

Since delivering the Report to the President, Federal agencies have taken key steps specified in the Report to ensure that its recommendations will take effect at the beginning of Fiscal Year 2016.[2] *These include the formation of a Permanent Federal Interagency Law Enforcement Equipment Working Group (Working Group)*[3] *to support oversight and policy development functions for controlled equipment programs (see below) and engagement with relevant stakeholders through multiple meetings and the receipt of written comments to obtain feedback on implementation approaches. The Working Group will continue this type of interaction throughout FY16 and beyond.* [4]

This Implementation Update (Update) describes the progress made on significant issues and policy decisions related to the Report. Federal agencies should ensure that applicants for controlled equipment are aware of all the requirements contained in the Report as well as in this Update. It should be noted that, for any inconsistencies, the directives described in this Update supersede the Report. Both documents are publicly available on the website of DOJ's Office of Justice Programs, Bureau of Justice Assistance (www.bja.gov) as well as through other Federal agency guidance and communication materials. Applicants with questions about the Report's recommendations should contact the Federal equipment program from which they are requesting controlled or other equipment.

[1] https://www.whitehouse.gov/sites/default/files/docs/le_equipment_wg_final_report_final.pdf
[2] *Report*, p. 5.
[3] *Report*, p. 32, Recommendation 5.1.
[4] *Report*, pp. 5, 35.

GENERAL ISSUES

TRANSITION PERIOD. The Working Group will implement a six-month transition period to allow law enforcement agencies to perform their duties to the fullest extent while working to comply with new training and policy requirements. The transition period provides LEAs the opportunity to examine their policies and training programs and make adjustments so they are in compliance with the Report's recommendations. During the transition period, LEAs will be permitted to apply for and acquire controlled equipment by certifying that they will be in compliance with the appropriate policies, training, and other requirements by April 1, 2016. LEAs will not be able to use any controlled equipment they receive during this six-month period, except for training purposes, until they have certified that the appropriate policies and training are in place.

TRIBAL. The Report stated that "[b]efore the recommendations are implemented with respect to Tribal LEAs, the Working Group will ensure that the specific requirements triggered by potential changes to Federal programs affecting sovereign tribes, including appropriate Tribal consultation, are met."[5] The Working Group has initiated the process of Tribal consultation and engagement in cooperation with DOJ's Office of Tribal Justice. This process has included contacting key tribes to solicit their initial input, developing a framing paper, and arranging to participate in Tribal convenings, including the conferences of the National Congress of American Indians and the International Association of Chiefs of Police. The Working Group also will solicit written comments from Tribal Governments and Law Enforcement and, after review, will make appropriate changes to the Report's recommendations.

EQUIPMENT LISTS

RECALL OF PROHIBITED EQUIPMENT.[6] Equipment in LEA inventories acquired through Federal equipment programs that are now on the Prohibited Equipment List will be recalled during the first six months of Fiscal Year 2016. This applies only to prohibited equipment acquired by LEAs through the Department of Defense, which is the only Federal agency that has the authority to recall. DOD will provide guidance and assistance to LEAs, especially on how to return large prohibited equipment. Those LEAs returning tracked armored vehicles will receive priority for equivalent wheeled vehicles as long as the relevant controlled equipment requirements are met.

EQUIPMENT DEFINITIONS.[7] In general, if an LEA has a question as to whether equipment is prohibited or controlled, it should contact the Federal agency to which it is applying. For DOD, equipment that is either controlled or prohibited will be identified by the National Stock Number (NSN). For DHS, equipment that is either controlled or prohibited will be identified on the Approved Equipment List (AEL).

[5] *Report*, p. 10, n. 13.
[6] *Report*, p. 13, n. 22.
[7] *Report*, p. 12, n. 20.

MODIFICATIONS. LEAs may not modify equipment acquired using Federal resources that would cause it to be considered prohibited equipment, or, absent specific approval from the Federal agency and adherence to all relevant requirements, controlled equipment.

POLICIES, TRAINING, AND PROTOCOLS FOR CONTROLLED EQUIPMENT

MODEL POLICIES AND DEFINITION OF POLICY GUIDELINES. [8] DOJ has provided funding to a group led by the International Association of Chiefs of Police (IACP), in partnership with the National Tactical Officers Association and the Commission on Accreditation for Law Enforcement Agencies, to provide more detailed definitions for the General Policing and Specific Controlled Equipment Standards and to develop model policies. The IACP-led group has consulted a number of subject matter experts during this process and has produced the detailed definitions, which the Working Group has accepted.[9] Each Federal agency-member of the Working Group will ensure that applicants are made aware of the detailed definitions, as well as the other recommendations in the Report and Update, through normal agency guidance and processes. The model policies will be available at the end of Calendar Year 2015.

RESPONSIBILITY OF ACQUIRING LEA. LEAs are responsible for ensuring that whoever uses controlled equipment acquired by the LEA through Federal resources adheres to the LEA's relevant policies or the regional sharing agreement, regardless of whether the user is employed by that LEA.

ACQUISITION PROCESS FOR CONTROLLED EQUIPMENT

CIVILIAN GOVERNING BODY REVIEW.[10] The Working Group has amended this requirement for LEAs where the chief executive is popularly elected (e.g., Sheriffs). Such LEAs must provide official written notice to – but are not required to obtain approval from – their civilian governing body at least 30 days in advance of any application to acquire controlled equipment from the Federal Government. This change takes into account the fact that popularly-elected heads of LEAs are directly accountable to their community-constituency.

"REASONABLE OPPORTUNITY" FOR CIVILIAN GOVERNING BODY REVIEW.[11] A reasonable opportunity for a civilian governing body to review an LEA's application for controlled equipment is 30 days. Thus, an LEA in its application must certify that (1) the civilian governing body explicitly approved of or concurred in the LEA's acquisition of the controlled equipment listed in the application, or (2) it provided formal written notice to the civilian governing body at least 30 days prior to the submission of the application of its intent to acquire the specified controlled equipment and has not received disapproval or non-concurrence.

[8] *Report*, p. 20.
[9] *Appendix.*
[10] *Report*, p. 28, Recommendation 3.1.
[11] *Id*.

CAMPUS LAW ENFORCEMENT AT INSTITUTIONS OF HIGHER EDUCATION (IHEs). The Working Group has clarified the requirements for Campus LEAs operating in Institutions of Higher Learning. First, the Campus LEA's civilian governing body – which is the IHE's Board of Governors or an equivalent body – must explicitly approve the acquisition of controlled equipment, and such approval must be evidenced in the Campus LEA's application to the Federal equipment program. In other words, silence or inaction by the Campus LEA's civilian governing body does not constitute evidence of approval, and the "reasonable opportunity to review" standard does not apply to Campus LEA applications. Second, Campus LEAs must certify that their policies and training include specific provisions on using equipment in a way that does not chill speech, is not disruptive to the educational environment, and does not foster a hostile climate among students. Third, Campus LEAs must remove the militaristic appearance of any controlled equipment vehicles they acquire (if allowed by the Federal program) by, for example, painting them a different color. The U.S. Department will advise the Permanent Working Group about the specific criteria appropriate for the detailed justification that apply to Campus LEAs.

QUARTERLY SAMPLE AND REVIEW OF APPLICATION STANDARDS. In an ongoing effort toward uniformity of the standards and processes to assess the adequacy of each application, including the detailed justification, the Permanent Working Group will meet quarterly to review a sample of applications from each Federal agency to determine the factors and the weight given to each element that were considered in approving or disapproving an application. The continued engagement and inter-agency coordination will lead toward a more dependable, standardized process throughout the Federal equipment programs.[12]

EFFECT OF FINDINGS OF CIVIL RIGHTS VIOLATIONS. As the Report indicates, LEAs are required to state in their application to acquire controlled equipment "whether they have been found to be in violation of a Federal civil rights statute or programmatic term during the past three (3) years and, if so, whether any disposition was reached or corrective actions were taken."[13] Accordingly, LEAs must disclose any finding by a Federal court or a Federal government agency, including an agency's Office of Civil Rights or the Civil Rights Division of the U.S. Department of Justice, that the LEA has violated a Federal civil rights law with respect to its policing functions. LEAs must also disclose any admissions of liability they have made regarding violations of Federal civil rights law in their policing functions. Federal agencies should obtain as much information as possible about the violation, which, along with any effort the LEA has taken to cure the violation, will be considered in determining whether the LEA should acquire controlled equipment.

CAMOUFLAGE UNIFORMS.[14] Federal agencies must ensure that LEA applicants are aware that Federally-acquired camouflage-patterned uniforms are authorized to be worn only in environments where they actually camouflage the wearer, as opposed to, for example, cities, towns, and other urban or populous areas. Implementing this requirement can be accomplished

[12] *Report*, p. 27.
[13] *Report*, p. 26.
[14] *Report*, p. 13.

through changes to Memoranda of Understanding/Agreement, Federal agency guidance, or the application form.

TRANSFER / SALE OF CONTROLLED EQUIPMENT

TRANSFER / SALE OF CONTROLLED EQUIPMENT TO NON-LEAs. Recommendation 4.2 limits the type of equipment that LEAs can transfer or sell to non-LEAs to fixed-wing aircrafts, rotary-wing aircrafts, and command and control vehicles.[15] The Working Group has added a fourth category of vehicles to this list – Tactical Vehicles, such as HMMWVs, which are not armored vehicles. Consistent with the Report, any equipment in these four categories must be stripped of law enforcement insignias and markings prior to transferring or selling the equipment; sensitive or potentially dangerous components must also be removed. The LEA also must notify and receive approval for the sale from the Federal agency through which it acquired the controlled equipment.

OVERSIGHT, COMPLIANCE, AND IMPLEMENTATION

PERMANENT WORKING GROUP.[16] As stated above, a Permanent Working Group has been established and has met regularly since the Report was delivered to the President to plan for the implementation of the recommendations. The Working Group has held three meetings with law enforcement stakeholders and two meetings with civil rights and civil liberties groups to discuss their implementation questions and concerns. Additionally, Federal agencies have conducted briefings for their respective State Coordinators and Administrative Agencies who are key partners in implementing the recommendations.

Beginning in October 2015, the Working Group will meet quarterly to review implementation efforts, address concerns and questions from applicants, provide and review information for the interagency database (see below), and continue to harmonize the standards for Federal equipment programs. Additionally, the Working Group is planning to hold a July 2016 annual review of the implementation of the Report's recommendations, including an assessment of whether equipment categories should be added or deleted from the prohibited or controlled equipment lists. This review will include engagements with stakeholders from the law enforcement, civil rights and civil liberties, and other interested communities.

DATABASE.[17] The Working Group has established the criteria for an interagency database that will be managed by the Bureau of Justice Assistance at DOJ and will be staffed by a dedicated contractor. The Database will include information on applicant-LEAs; the controlled equipment they acquired; whether any controlled equipment was transferred, sold, or otherwise disposed; and whether the LEA has been found to be in violation of any programmatic rule or statute, including civil rights violations, that would raise concerns of suitability for acquiring controlled

[15] *Report*, p. 31.
[16] *Report*, pp. 33-34, Recommendation 5.1.
[17] *Report*, p. 33.

equipment. This information will be collected quarterly in advance of the regular Working Group meetings.

COORDINATION OF OFFICES OF CIVIL RIGHTS AND RELEVANT MOUs.[18] In October 2015, the Federal Coordination and Compliance Section (FCS) of DOJ's Civil Rights Division will begin meeting with Federal Offices of Civil Rights (OCRs) to begin planning ongoing training and coordination consistent with the recommendations of the report. FCS is charged under Executive Order 12250 with coordinating the enforcement of the nondiscrimination provisions in various civil rights laws, including Title VI of the Civil Rights Act of 1964. FCS will train OCRs on how to respond to complaints received from the community, initiate compliance reviews, and request relevant data. FCS also will work with agency OCRs on coordinating compliance reviews to avoid duplicating efforts and ensuring that a large representative sample of LEAs are reviewed.

* * * * *

[18] *Report*, p. 34.

To: **Bay Area UASI Approval Authority**

From: **Catherine Spaulding, Assistant General Manager**

Date: **May 12, 2016**

Re: **Item 6: Proposal Process Lessons Learned**

Staff Recommendation:

None – for discussion only

Action or Discussion Item:

Discussion

Discussion:

At the end of every proposal cycle, the Management Team consults with stakeholders and reflects on the process in order to identify strengths, weaknesses, and areas of improvement. For the FY16 process, we have identified the following:

Strengths

- WebGrants online system for applications
- Direct presentation of regional projects to Approval Authority for approval
- New Proposal Work Group

For Improvement

- Proposal requirements for position project proposals
- Understanding of what types of projects are eligible
- Information on inventory
- Highly specialized and unique equipment

Proposed Changes for FY17 Process

Each year the Management Team refines the proposal process in order to make it more efficient, effective, and easy to understand. We will present the FY17 Project Proposal Guidance in the August meeting for review. It will include the following changes for the FY17 process:

1. ***Proposals for Positions:*** There will be new requirements for proposals to fund positons in order to align with new State requirements and auditing standards. Each position must be submitted individually as a project with its own proposal and must include at least three specific deliverables that tie to the selected priority capability objective.

2. ***Controlled Equipment*:** All proposals that seek funding for items on FEMA's controlled equipment list must complete FEMA Form 087-0-0-1 as part of their proposal application.

3. ***Compliance of Frequently Requested Items List:*** The new proposal guidance will provide a table which lists items jurisdictions frequently request and designates whether such items are: (1) In compliance for the Bay Area UASI FY17 grant cycle in terms of meeting the FY17 priority capability objectives; and (2) On the controlled equipment list.

4. ***Core City Proposal Submission Meetings:*** The Management Team urges all proposers to ask us questions and access our assistance in order to submit timely and compliant proposals. The Management Team will be requesting meetings with core city stakeholders – given that they complete the highest volume of proposals – in the week of September 26 in order to support the proposal submission process.

5. ***Inventory Pilot:*** The South Bay Hub Voting Members requested additional information on equipment inventory to assist them to evaluate proposal requests. As a pilot, the Management Team will conduct research to this end and hold a preliminary hub meeting to discuss the results. If successful, this approach will be presented to other hub areas in 2017 as an optional service.

6. ***Highly Specialized and Unique Equipment***: This will be a new category included in the "Level One" regional project definition so that such proposals will be heard directly by the Approval Authority in the January 2017 meeting. The CBRNE Work Group has been asked to provide input on which types of regional equipment might meet this criteria.

7. ***Definition of a Regional Project:*** The updated definition states that all regional projects must benefit at least three hubs in a *relatively equitable manner*. Generally speaking, equipment purchased by a single jurisdiction which would be made available to neighboring hubs on only an ad-hoc or mutual aid basis does not meet this threshold.

To: **Bay Area UASI Approval Authority**

From: **Catherine Spaulding, Assistant General Manager**

Date: **May 12, 2016**

Re: **Item 7: Risk Management Program – Update on VHEMPs**

Staff Recommendations:

None

Action or Discussion Items:

For discussion only

Discussion:

The NCRIC, the Management Team, and Haystax Technology recommend that we no longer input new VHEMPs into Cal COP. In the memo below, I explain the reasons for this new policy after providing some background information on relative risk, the definition of a VHEMP, and how the Bay Area has inputted VHEMPs in in the past.

What is relative risk?

Risk is defined as threat (likelihood of a given event) * vulnerability (likelihood of the worst consequences) * consequence (worst impact of a given event). Assets are assigned a default risk value when they are entered into the Risk Analysis Center (RAC) module of Cal COP. This value is assigned so that ultimately we can derive a picture of relative risk so that we can make strategic grant allocation decisions. Asset risk is approximately 30% of the overall formula that divides funding from amongst the four Bay Area UASI hubs.

What is a VHEMP?

VHEMP stands for vulnerability and human, economic, mission, and psychological consequence. A VHEMP is an in-depth review of an asset's vulnerability and consequences that overrides the asset's default risk value in Cal COP. It is an optional additional assessment a user can complete in order to get a more nuanced view of the vulnerability of an asset and potential consequences relative to a particular threat or hazard. For example – is the asset in a flood plain (flood hazard)? Have effective countermeasures been implemented such as bollards to protect critical infrastructure (VBIED threat)? This additional analysis can take anywhere from 2-8 hours to complete and relies on the subjective judgement of the person completing the analysis.

VHEMPs in the Bay Area UASI Asset Catalogue

In 2009, the Bay Area UASI created an asset catalogue in order to derive a relative risk picture. Today, there are over 15,000 assets in our catalogue. About 1,000 of these 15,000 assets have completed VHEMPs. Jurisdictional representative inputted VHEMPs for high risk high priority assets into the system back in 2009 with a few trailing assessments from that effort coming in during 2010 – 2012. They conducted the analysis in a workshop/group setting with technical assistance provided by the Management Team and the NCRIC to ensure a consistent approach.

In 2013, the NCRIC reviewed the asset catalogue to ensure all high risk assets were included and consistently analyzed. They found 60 more that needed to be completed, which they then undertook. That year, local jurisdictions also inputted about 475 assessments on low risk and low priority assets. Since 2014, jurisdictions have completed a few more VHEMPs, but only two have had a significant impact on regional risk. The NCRIC has recently reviewed these assessments and will update them to ensure a consistent approach as with the other high priority assets.

New VHEMP Policy

The NCRIC, the Management Team, and Haystax Technology recommend that we no longer input new VHEMPs into Cal COP. The reasons for this new policy are as follows:

- ***High risk high priority assessment input is complete*** – In 2013, NCRIC reviewed the asset catalogue to ensure all high risk high priority VHEMPs had been completed.
- ***No operational use*** – As far as we know, VHEMP information is not referenced or applied in any situation by the NCRIC or jurisdictions.
- ***Time intensive*** – VHEMPs take many hours to complete by jurisdictional subject matter experts and many hours to review by the NCRIC and Management Team to ensure consistency and accuracy of approach.
- ***Obsolete*** – Haystax now has a more refined risk algorithm that has enhanced the default risk values Cal COP assigns to assets. The VHEMP process, which refines the default values, was more relevant back in 2009 when the asset catalogue was first established.
- ***Unnecessary complexity*** – The default relative risk values Cal COP assigns to assets is adequate in order to get a relative regional asset risk picture. It can be frustrating and time-consuming for end users and policy makers to understand and complete VHEMPs.
- ***Subjectivity*** – The more in-depth risk a risk assessment is, the more subjective it can become, and the VHEMP process is no exception. Bay Area VHEMPs for high risk assets were conducted years ago in a workshop with technical assistance in order to ensure consistency. The level of effort to sustain such an approach is no longer justified.
- ***Consistency with other California UASIs*** – Similar to the Bay Area, other California UASIs completed VHEMPs years ago in a workshop setting. However, these other UASIs no longer add new VHMEPs.

To: **Bay Area UASI Approval Authority**

From: **Woody Baker-Cohn, Marin County Emergency Services Coordinator**
David Frazer, Statewide Cal COP Program Manager

Date: **May 12, 2016**

Re: **Item 8: WebEOC Assessment Project Update**

Staff Recommendation:

No recommendation – for discussion only

Action or Discussion Item:

Discussion

Discussion:

In May 2015, the Approval Authority was provided with an overview of the WebEOC Assessment Project including key findings and the following recommendations:

1. All Bay Area OAs should ensure they have active CalEOC accounts.
2. Local instances of WebEOC in the Bay Area should link via CalEOCs fusion server to enhance regional data sharing.
3. Enable automated data sharing between CalEOC and Bay Area OA WebEOC instances.
4. Prioritize CalEOC and WebEOC administrator and end-user training.
5. Pilot connectivity between local instances of WebEOC and Cal COP.

Woody Baker-Cohn serves as the chair of the Northern California WebEOC User Group and vice chair of the State WebEOC User Group. Woody will provide an update and next steps on recommendations one through four. (see Appendix A)

David Frazer, the California Common Operating Picture (Cal COP) Statewide Program Manager, will provide an update and next steps on recommendation five. (see Appendix B and C)

To: **Bay Area UASI Approval Authority**

From: **Woody Baker-Cohn, Marin County Emergency Services Coordinator**

Date: **May 12, 2016**

Re: **Item 8a: WebEOC Assessment Progress Report Update-Recommendations 1-4**

Discussion:

This report provides an update and next steps to the recommendations made in the May 2015 WebEOC Assessment Project.

1. ***All Bay Area OAs should ensure they have active CalEOC accounts.***

Task complete. All Operational Areas (OAs) in the Bay Area have active CalEOC accounts. CalEOC is the name the California Governor's Office of Emergency Services (CalOES) has given its WebEOC system. CalEOC accounts are only routinely used by the OAs that do not have their own WebEOC systems. These counties are Alameda, San Benito, Solano, and Sonoma. Those with their own WebEOC systems need to maintain a small number of active CalEOC accounts for redundancy.

Next Steps: Continue ongoing contact with Bay Area OES staff to ensure transitioning staff have active WebEOC accounts.

2. ***Local instances of WebEOC in the Bay Area should link via CalEOCs Fusion server to enhance regional data sharing.***

Fusion is a product from the WebEOC vendor which allows multiple WebEOC systems to connect to each other and selectively share data as if they were one system. This task is complete for six OAs (Contra Costa, Marin, Monterey, San Francisco, San Mateo, Santa Clara). Santa Cruz and Napa installations in progress (see next steps below). Alameda, San Benito, Solano, and Sonoma do not have their own WebEOC systems and do not have any known plans to acquire one. These OAs use the CalEOC system, and therefore are already linked to the Fusion server. Shared data available across all the Fusion-connected WebEOC systems include situation status reports, shelter populations, and OA EOC status.

Next Steps: Santa Cruz and Napa are completing their installation of local WebEOC system. Estimated completion date September 2016.

3. Enable automated data sharing between CalEOC and Bay Area OA WebEOC instances

Phase I of this is complete, enabling basic situational awareness and common operating picture data sharing. However, this data sharing has not been fully integrated into local OA processes.

Next Steps: Phase II of this recommendation is to expand the coverage of essential elements of information being shared and integrate the data sharing into the Bay Area OAs' existing process within WebEOC.

4. Prioritize CalEOC and WebEOC administrator and end-user training.

Completed virtual training for all agencies participating in Yellow Command 2015.

Next steps: Develop end user training and WebEOC job aids for the Bay Area EOCs. Continue to improve the integration of WebEOC and CalEOC systems, including expanding the types and level of information shared between the Bay Area OA EOCs and between the Bay Area OA EOC's and CalOES. Estimated completion date: June 2017.

Recommendations

Based on the progress made on the above recommendations and the proposed next steps, the Management Team recommends the following path forward, which will provide high quality situational Awareness/Common Operating Picture to the Bay Area OA EOCs and to CalOES' REOC & SOC using existing systems and infrastructure.

1. Implement Phase II of automated data sharing, which will expand the coverage of essential elements of information being shared and integrate the data sharing into the Bay Area OAs' existing process within WebEOC.
2. Ensure that WebEOC training and job aids are available to Bay Area OA for EOC staff using WebEOC.
    a. Provide standardized on demand web-based training for core WebEOC functions, giving initial and refresher training to all OA level WebEOC users. Customizable training content and tools will be provided for all OAs.
    b. Provide written job aids for core WebEOC functions to assist OA WebEOC users. Customizable job aid templates will be provided for all OAs.
3. Provide WebEOC admin training to Bay Area OA staff who have their own WebEOC systems.
4. Further integration with CalCOP (see Appendix B).

The Bay Area WebEOC User Group will move forward to complete the next steps outlined above and provide a status update to the Approval Authority in November 2016.

To: **Bay Area UASI Approval Authority**

From: **David Frazer, Cal COP Statewide Program Manager**

Date: **May 12, 2016**

Re: **Item 8b: WebEOC Assessment Project Update - Recommendation 5: Local WebEOC and Cal COP Connectivity**

Discussion:

***Summary**:*

In August 2015, the Approval Authority approved the allocation of $40,000 from FY13 unspent funds to develop a Cal COP and WebEOC connection project supporting the goal to increase information sharing and situational awareness. A two phased approach described below was taken.

I. Create a Pilot Program to connect local instances of WebEOC in three operational areas to Cal COP to test full connectivity during Super Bowl 50.
II. Based upon results of Phase One, request additional funding for other jurisdictions to connect Cal COP and WebEOC.

Results:

Haystax was awarded the contract to develop and implement two-way data integrations connecting San Francisco, San Mateo and Santa Clara Operational Areas (OA). During December 2015, two-way integrations were completed for local government daily operations and a combined webinar training was provided to OA stakeholders on January 29, 2016.

During the Super Bowl 50 (SB50) nine day activation, the Cal COP and WebEOC integrations were leveraged by the San Francisco Department of Emergency Management Emergency Operations Center (EOC), the San Francisco Police Department Operations Center, the San Mateo County EOC, the Santa Clara City and County EOCs, the Mutual Aid Coordination Group, and the SB50 Operations Center. These various operations centers monitored field operations using the Cal COP Feed Monitor and Watchboard. Some examples of the shared information included EOC activations, EOC openings and closings, incidents, and event updates.

Operational Areas realized the value of sharing WebEOC Significant Events through one combined Cal COP channel. Regional stakeholders benefited from viewing real-time information in Cal COP, assessing its regional implications, and if necessary, promoting it to a Cal COP incident, which could be viewed by all Cal COP users in the Bay Area, California Office of Emergency Services State Operations Center, and the State Threat Assessment Center.

Conclusion:

Overall, this pilot program was a success. At the end of Phase I, Haystax provided a Cal COP and Super Bowl 50 Incident Report Executive Summary (see Appendix 8c). Recommendations from this report will be folded into future Cal COP and WebEOC two-way integrations.

In order to complete Phase II of the project, funding needs to be allocated to complete two-way integrations for the remaining Operational Areas in the Bay Area region.

Recommendations:

The Cal COP Statewide Program Manager will work with the OES Managers in the Bay Area region to discuss and implement the five Incident Report recommendations and report back to the Approval Authority with a schedule for Cal COP and WebEOC integration and associated costs.

Cal COP and Super Bowl 50 Incident Report

Executive Summary

The California Common Operating Picture for Threat Awareness (Cal COP) has been in use since 2009 for the Bay Area's regional risk management program, and more recently for significant special events. Cal COP, powered by Haystax Technology, is available to all public safety agencies and there is a very large user base throughout the region. The San Francisco Bay Area hosted Super Bowl 50 (SB50) on February 7, 2016. Through planning meetings and the SB50 Data Coordination Plan, the SB50 Interoperability Committee designated Cal COP as the regional situational awareness tool for game day and the events leading up to the Super Bowl, encompassing a nine-day operational period. Cal COP provided local and regional situational awareness, and was used alongside other critical data-sharing tools by public safety agencies for SB50 operational support. In the weeks and months leading up to Super Bowl week, the Haystax team supported regional coordination and preparation activities, including conducting several Cal COP trainings, integrating a number of computer-aided dispatch systems and other feeds, and uploading multiple GIS data layers and data on hundreds of events. Additionally, the Haystax team supported Cal COP usage during Urban Shield's Yellow Command Exercise on September 11, 2015, and the Levi's Stadium/SB50 Operations Center Dry Run on January 3, 2016.

This preparation resulted in 14 operations centers throughout the Bay Area region using Cal COP in support of their activities from January 30 - February 7, 2016. Cal COP users successfully monitored critical incidents and information throughout the region. The Haystax team directly supported these activities by maintaining staff at seven operations centers, and providing remote support to the other locations. While onsite, the Haystax team provided additional training and assisted users in integrating the Cal COP workflows with other operations—creating and monitoring ongoing incidents throughout the region—to ensure comprehensive situational awareness.

Recommendations

In review of Cal COP activities at SB50, the Haystax team would like to provide the following five recommendations for growth of the program and Cal COP usage at subsequent events.

1. Better identify key Cal COP users who will be responsible for critical Cal COP workflows in each operations center
2. Begin daily Cal COP operational usage to better integrate Cal COP into existing workflows and ensure user familiarity with the system during large-scale events or natural disasters
3. Formalize partnerships and integrations that streamline data sharing and situational awareness within Cal COP
4. Continue to expand Cal COP and WebEOC two-way integrations
5. Share lessons learned with other UASIs

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To: **Bay Area UASI Approval Authority**

From: **Corey Reynolds, UASI Regional Project Manager**

Date: **May 12, 2016**

Re: **Item 9: Mutualink - Super Bowl 50 Proof-of-Concept**

Recommendation:

None – discussion only

Action or Discussion Items:

Discussion

Discussion/Description:

Background

In the August 2015 Approval Authority meeting, the Management Team was asked to provide further information on the Mutualink system in the region to determine how it could be effectively utilized within the Bay Area. Mutualink is an Internet Protocol (IP)-based multimedia overlay network and is designed to leverage the sharing of your existing radio, video, telephone, and IP-sensory equipment including disparate systems, as well as next-generation communication technology.

A status of the Mutualink system implementation in the Bay Area was presented at the October 2015 meeting, and the Approval Authority directed the management team to conduct a two-phased approach (see October 2015 Planned Phased Approach) by October 2016 to ensure public safety and emergency management agencies use the system efficiently. This report provides an update on Phase One of the Mutualink project.

Status

In December 2015, the Management Team convened a Focus Group of regional stakeholders who expressed interest in using Mutualink during Super Bowl 50 operations. In coordination with the NCRIC, this focus group validated project goals and identified regional testing objectives for a coordinated proof-of-concept of the Mutualink system during Super Bowl 50. Four County EOCs, five City EOCs, NCRIC, and PG&E engaged in this proof-of-concept.

To build capability leading up to Super Bowl 50, template Standard Operating Procedures were distributed and the Management Team coordinated vendor-provided training sessions. Following

the training, engaged agencies tested the Mutualink applications and video feeds throughout San Francisco, San Mateo County, and Santa Clara County. Additionally, as part of Phase One of the project, an updated inventory and assessment of Mutualink equipment was performed, and is attached as Appendix A.

During Super Bowl operations, stakeholders evaluated established Mutualink objectives, and reconvened in March for an after-action meeting. Focus Group members found value in its use as a situational awareness and common operating picture (SA/COP) tool. Regional training on the Mutualink system and coordination of equipment sharing between PG&E and Bay Area end users benefited first responder real time situational awareness capabilities. Some technical issues were uncovered, such as video distortion and complications with the use of small hand held screens. Overall, Mutualink's performance during Super Bowl 50 operations was viewed as a success.

Next Steps

A subset of the Focus Group has agreed to work with the vendor to develop technical solutions. Additionally, Focus Group members would like to explore further integration with other SA/COP tools such as CalCOP and WebEOC/CalEOC. Focus Group participants expressed significant interest in the further development and use of the Mutualink system across the region. An After Action Report will be finalized by the end of May and will inform Phase Two of the project to identify best practices for Mutualink operations in the Bay Area. The Management Team will provide an update to the Approval Authority at the end of the year.

October 2015 Planned Phased Approach

Phase One
UASI Management Team will work with NCRIC to convene a Mutualink Focus Group with the following objectives: • Assess Mutualink equipment and usage -Conduct site visits and usage assessment -Test and assess the Mutualink Edge applications • Conduct a Mutualink Tabletop exercise - Establish objectives for Mutualink use in Super Bowl 50 in three counties - Utilize vendor provided training and standard operating procedures - Validate Mutualink product's effectiveness to support interoperable communication for public safety and emergency management agencies
Phase Two
Use outcomes from Phase One to develop a strategy for an effective Mutualink system roll out. • Assess Bay Area interest to further develop the system • Identify best practices for Mutualink operations in the Bay Area • Develop Bay Area Mutualink policies and standard operating procedures • Identify and schedule training opportunities • Determine additional Mutualink equipment needs and submit FY17 project proposal

Appendix A: Bay Area Mutualink Locations

Bay Area Mutualink locations 25-April-16

Agency Name	IWS	RNIC	TNIC	VNIC	EDGE	Notes
CA-Oakland-BART	1	1	1	1		
CA-Oakland-Fire	1					On line when EOC Activated
CA-OaklandEOC	1	1	1	1		On line when EOC Activated
CA-OaklandPD					2	On line when EOC Activated
CA-SanFrancisco-AcademyArtUniv	1	1	1	1		Does not use RNIC
CA-SanFrancisco-NCRIC	2		1	1	25	Edge 25 purchased Mar. 2016
CA-SanFrancisco-NCRIC_2	1			1		
CA-SanFrancisco-PGE		1	1	1	25	Edge 25 purchased Feb. 2016
CA-SanFranciscoDEA	1	6	1	1		
CA-SanFranciscoDEM	1		1			
CA-SanFranciscoFD	1		1			
CA-SanFranciscoFRB	1	1	1	1		Back on line Dec. 2015
CA-SanFranciscoPD	1	7	2	2	1	
CA-San Francisco Pyramid	1	1	1	1		Pilot ended Dec. 2015
CA-SanFrancisco_FBI-EOC	1	1	1	1		
CA-SanJosePD	1	1	1	1		
CA-SanMateoCo-Dispatch	1	1	1	1	1	
CA-SanMateoCo-DOC	1					
CA-SanMateoCo-OES	1	1	1	1		
CA-SantaClaraCo_Sheriff	1	1	1	1		On line when EOC Activated
CA-SantaClaraPD	1	1		1		
CA-Sunnyvale-DPS-DOC	1	1	1	1		
CA-AlamedaCo_Sheriff		1	1	1		
CA-Oakland-Port_of_Oakland	1	1	1	1		Expected on line by May 2016

IWS: Interoperability Workstation
RNIC: Radio Network Interface Controller
TNIC: Telephone Network Interface Controller
VMIC: Video Network Interface Controller

Bay Area UASI

Mutualink
SB50 Proof-of-Concept

Approval Authority Meeting

May 12, 2016

Background

- **Phase 1:** Super Bowl 50 Proof-of-Concept
  - Mutualink SB50 Focus Group
    - 4 Counties (San Francisco, San Mateo, Santa Clara, Alameda)
    - 5 Cities (Santa Clara, Mountain View, Sunnyvale, San Jose, Oakland)
    - NCRIC
    - PG&E

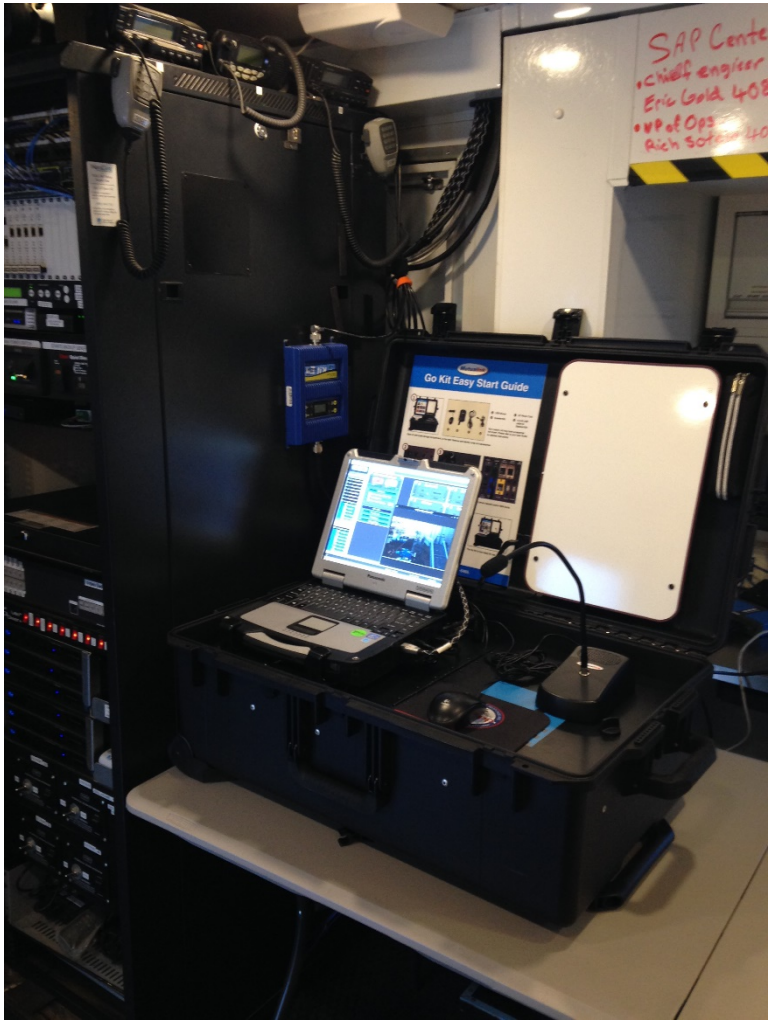
Objectives

- To assess the use and effectiveness of various types of Mutualink equipment (legacy equipment, Edge licenses, Go Kits) and to determine the best equipment make-up and placement for various use cases.
- To identify outstanding policy, training, and SOP needs.
- To understand the dual use of CalCOP and Mutualink, and to identify future opportunities for integration.

Mutualink in SB50

- 4 County EOC's (SF, San Mateo, Santa Clara, Alameda)
- 5 City EOC's (Santa Clara, Sunnyvale, San Jose, Mountain View, Oakland)
- City of Santa Clara Command Post: 2 Edge Clients
- California Highway Patrol Mobile Command Vehicle
- 10 Intelligence Agents from the NCRIC / FBI on Edge Devices
- FBI IOC at Moffett Field
- NCRIC Video Collection Center on Taylor
- NCRIC Analyst on Edge Client at Levi Stadium
- SFFD, SFPD, and San Mateo County Sheriff's Office Dispatch Centers
- 6 PG&E Go Kits deployed in strategic locations around Super Bowl City and at Levi's Stadium providing live video feeds
- SF Federal Reserve Bank and Academy of the Arts providing video feeds

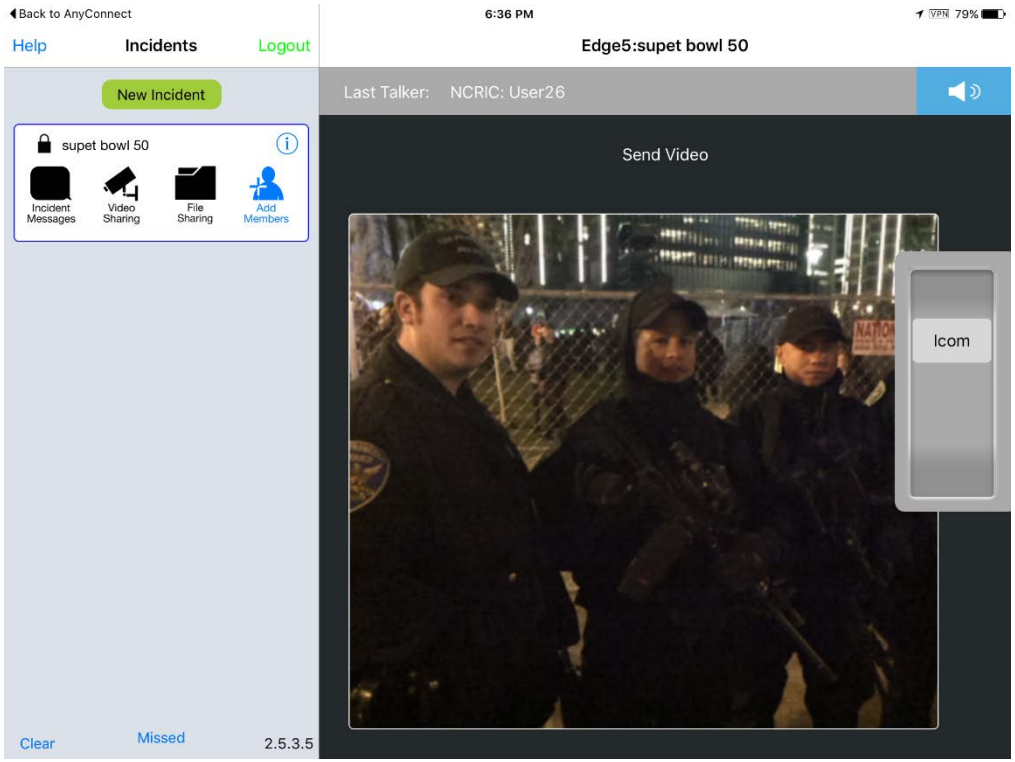
Mutualink in SB50

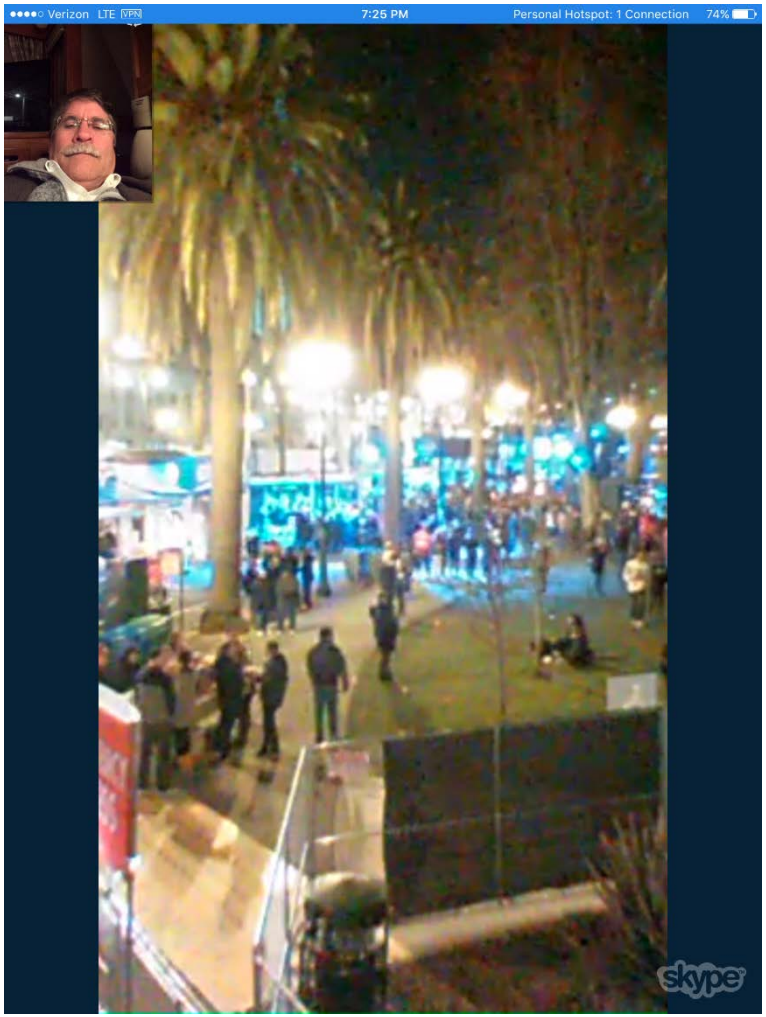


Mutualink GoKit at Super Bowl City

Mutualink at Sunnyvale Joint Information Center (JIC)

Mutualink in SB50





Sonim Phones on Band Class 14 (FirstNet) at Super Bowl City

Outcomes

- All agencies agreed the situational awareness and instant connection between agencies was beneficial and had not been experienced in such a large event in the past.
- As expected, mobile devices running on commercial 4G (Verizon, AT&T) were slowed at times due to heavy use of the networks.
  - Sonim devices on Band Class 14 (FirstNet spectrum) saw no connectivity interruption.
- Training of key personnel should have been arranged for earlier.

Next Steps

- **Phase 2:** Develop a strategy for effective system rollout/expansion, including:
  - Assessing interest region wide.
  - Identifying best practices.
  - Building out policies and SOPs.
  - Identifying and scheduling further training opportunities.
  - Determining equipment needs in anticipation of FY17 project proposals.
- Focus Group will work with the vendor to understand technical issues and develop solutions.
- Focus Group to explore further integration with other situational awareness tools such as CalCOP and WebEOC/CalEOC.

To: **Bay Area UASI Approval Authority**

From: **Tristan Levardo, CFO**

Date: **May 12, 2016**

Re: **Item 10: Reallocation of Grant Funds**

Staff Recommendation:

Discussion

Action or Discussion Item:

Discussion only

Discussion:

Pursuant to the Approval Authority Bylaws, *Section 8.6 Modification of Grant Allocations,* the Management Team shall report project budget changes under $250,000 to the Approval Authority on a biannual basis.

Item 10 - Appendix A illustrates the pertinent budget changes for the six months ended April 30, 2016.

Reallocation of Grant Funds (less than $250K)

For the Period November 1, 2015 through April 30, 2016

Jurisdiction	Project, Solution Areas	Project Categories	Initial Allocation	Reallocation	Cumulative Change	Justification
NCRIC	B-Organization	Intelligence analyst	3,628,378	3,389,350	(239,028)	Reallocation of savings from personnel budget
NCRIC	B-Training	Training in direct support of NCRIC goals and objectives	170,000	271,935	101,935	Reallocation of savings from personnel budget
NCRIC	B-Equipment	Equipment for Fusion Center	202,000	342,956	140,956	Reallocation of savings from personnel budget
NCRIC	B-Planning	West Bay Information Sharing System (WBISS)	80,000	76,137	(3,863)	Reallocation of savings from personnel budget
Oakland	A-Planning	Planning budget	647,000	511,770	(135,230)	Reallocation of savings to procure CBRNE equipment
Oakland	D-Equipment	Self-contained breathing apparatus	-	135,230	135,230	Reallocation of savings to procure CBRNE equipment
San Francisco	D-Equipment	Response vehicles	60,000	-	(60,000)	Procurement issues that lead to reallocation
San Francisco	C-Equipment	Mobile radios	-	60,000	60,000	Repurposed funds from response vehicles project
San Jose	C-Planning	Interoperable communication manager	140,000	118,400	(21,600)	Savings from core city allocation to augment the radio project
San Jose	D-Equipment	Bomb robot	250,000	237,700	(12,300)	Savings from core city allocation to augment the radio project
San Jose	C-Equipment	Radios for SJPD	245,000	278,900	33,900	Savings from core city allocation to augment the radio project
		Grand Total for FY2014 UASI Reallocation	5,422,378	5,422,378	-	

Jurisdiction	Project, Solution Areas	Project Categories	Initial Allocation	Reallocation	Cumulative Change	Justification
Alameda	B-Equipment	Rapid DNA analysis	292,524	198,524	(94,000)	Reallocation of savings to the notification system
Alameda	F-Equipment	Unified emergency notification system	-	94,000	94,000	Savings from Rapid DNA Analysis project
Oakland	D-Equipment	Mobile Lab Platform	350,000	-	(350,000)	Canceled project
Oakland	D-Equipment	Sniper Team Equipment	50,000	-	(50,000)	Canceled project
Oakland	D-Equipment	Ballistic PPE and building hardening	-	135,000	135,000	Repurposed core city allocations from the canceled project
Oakland	A-Planning	Planning budget	600,000	715,000	115,000	Repurposed core city allocations from the canceled project
Oakland	C-Equipment	Radios	-	100,000	100,000	Repurposed core city allocations from the canceled project
Oakland	F-Equipment	C-PODS	-	50,000	50,000	Repurposed core city allocations from the canceled project
San Jose	C-Equipment	P25 radios	249,800	193,400	(56,400)	Repurposed core city allocations
San Jose	D-Equipment	Radiation detectors	-	35,888	35,888	Repurposed core city allocations
San Jose	F-Equipment	C-POD package	-	20,512	20,512	Repurposed core city allocations
		Grand Total for FY2015 UASI Reallocation	1,542,324	1,542,324	-	