



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee members
From: Sorsha Anderson, Staff Associate
Date: January 28, 2021
Subject: Grant Requests – JFO #3033

Enclosed please find one (1) item, which the Joint Fiscal Office has received from the Administration.

JFO #3033 - One (1) limited service position, Criminal Intelligence Analyst, to the VT. Dept of Public Safety to support information sharing and analysis to prevent and prepare for hazards and threats. Funds from the US Dept. of Homeland Security from previously awarded JFO Grant #2212.
[JFO received 1/27/2021]

Please review the enclosed materials and notify the Joint Fiscal Office (Sorsha Anderson: sanderson@leg.state.vt.us) if you have questions or would like this item held for legislative review. Unless we hear from you to the contrary by February 15, 2021, we will assume that you agree to consider as final the Governor's acceptance of this request.

STATE OF VERMONT
Joint Fiscal Committee Review
Limited Service - Grant Funded
Position Request Form

This form is to be used by agencies and departments when additional grant funded positions are being requested. Review and approval by the Department of Human Resources must be obtained prior to review by the Department of Finance and Management. The Department of Finance will forward requests to the Joint Fiscal Office for JFC review. A Request for Classification Review Form (RFR) and an updated organizational chart showing to whom the new position(s) would report must be attached to this form. Please attach additional pages as necessary to provide enough detail.

Agency/Department: Department of Public Safety/Vermont State Police Date: 10/2/20

Name and Phone (of the person completing this request): Shawn Loan (802) 498-3693

Request is for:

- Positions funded and attached to a new grant.
- Positions funded and attached to an existing grant approved by JFO # 2212

1. Name of Granting Agency, Title of Grant, Grant Funding Detail (attach grant documents):

Department of Homeland Security, Homeland Security Grant Program (attached)

2. List below titles, number of positions in each title, program area, and limited service end date (information should be based on grant award and should match information provided on the RFR) position(s) will be established only after JFC final approval:

<u>Title* of Position(s) Requested</u>	<u># of Positions</u>	<u>Division/Program</u>	<u>Grant Funding Period/Anticipated End Date</u>
Criminal Intelligence Analyst	1	Criminal/Vermont Intelligence Center	1/20 through 1/22with yearly funding request

*Final determination of title and pay grade to be made by the Department of Human Resources Classification Division upon submission and review of Request for Classification Review.

3. Justification for this request as an essential grant program need:

After the annual FEMA Fusion Center Assessment and the Vermont THIRA/SPR process, a gap was identified in information sharing and analysis in the critical infrastructure and counterterrorism (CI/CT) sectors. Grant funding has been approved to hire a limited service CI/CT intelligence analyst with a focus on critical infrastructure and counterterrorism. The position would support information sharing and analysis for law enforcement, private sector, and state agencies in preventing and preparing for hazards and threats through assessments, intelligence and information sharing, exercises, and outreach.

I certify that this information is correct and that necessary funding, space and equipment for the above position(s) are available (required by 32 VSA Sec. 5(b)).

Michael E. Schirling

Digitally signed by Michael E. Schirling
Date: 2020.10.13 15:03:02 -04'00'

Signature of Agency or Department Head _____ Date _____

Aimee Pope

11/12/2020

Approved/Denied by Department of Human Resources _____ Date _____

Adam Greshin

Digitally signed by Adam Greshin
Date: 2021.01.19 13:43:08 -05'00'

Approved/Denied by Finance and Management _____ Date _____

Kristin Clouser

Digitally signed by Kristin Clouser
Date: 2021.01.19 16:26:10 -05'00'

Approved/Denied by Secretary of Administration _____ Date _____

[Signature]

1/26/21

Approved/Denied by Governor (required as amended by 2019 Leg. Session) _____ Date _____

Comments:

VERMONT DEPARTMENT OF PERSONNEL
Request for Classification Review
Position Description Form A

- **This form is to be used by managers and supervisors to request classification of a position (filled or vacant) when the duties have changed, and by managers and supervisors to request the creation of a new job class/title (for a filled, vacant, or new position), and by employees to request classification of their position.**
- This form was designed in Microsoft Word to download and complete on your computer. This is a form-protected document, so information can only be entered in the shaded areas of the form.
- If you prefer to fill out a hard copy of the form, contact your Personnel Officer.
- To move from field to field use your mouse, the arrow keys or press Tab. Each form field has a limited number of characters. Use your mouse or the spacebar to mark and unmark a checkbox.
- Where additional space is needed to respond to a question, you might need to attach a separate page, and number the responses to correspond with the numbers of the questions on the form. Please contact your Personnel Officer if you have difficulty completing the form.
- The form must be complete, including required attachments and signatures or it will be returned to the department's personnel office. All sections of this form are required to be completed unless otherwise stated.

INSTRUCTIONS: Tell us about the job. The information you provide will be used to evaluate the position. It will not be used in any way to evaluate an employee's performance or qualifications.

Answer the questions carefully. The information you give will help ensure that the position is fairly evaluated. Here are some suggestions to consider in completing this questionnaire:

- Tell the **facts** about what an employee in this position is actually expected to do.
- Give **specific examples** to make it clear.
- Write in a way so a person unfamiliar with the job will be able to understand it.
- Describe the job **as it is now**; not the way it was or will become.
- Before answering each question, read it carefully.

To Submit this Request for Classification Review: If this is a filled position, the employee must sign the original* and forward to the supervisor for the supervisor's review and signature. The Personnel Officer and the Appointing Authority must also review and sign this request before it is considered complete. The effective date of review is the beginning of the first pay period following the date the complete Request for Classification Review is date stamped by the Classification Division of the Department of Personnel.

*An employee may choose to sign the form, make a copy, submit original to supervisor as noted above, while concurrently sending the copy to the Classification Division, 144 State Street, Montpelier, with a cover note indicating that the employee has submitted the original to the supervisor and is submitting the copy as a **Concurrent** filing.

If this is a request (initiated by employees, VSEA, or management) for review of all positions in a class/title please contact the appropriate Classification Analyst or the Classification Manager to discuss the request prior to submitting.

Request for Classification Review Position Description Form A

For Department of Personnel Use Only

Notice of Action # _____	Date Received (Stamp) _____
Action Taken: _____	
New Job Title _____	
Current Class Code _____	New Class Code _____
Current Pay Grade _____	New Pay Grade _____
Current Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____	
New Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____	
Classification Analyst _____	Date _____ Effective Date: _____
Comments: _____	Date Processed: _____
Willis Rating/Components: Knowledge & Skills: _____ Mental Demands: _____ Accountability: _____	
Working Conditions: _____ Total: _____	

Incumbent Information:

Employee Name: Employee Number:
Position Number: Current Job/Class Title:
Agency/Department/Unit: Work Station: Zip Code:
Supervisor's Name, Title, and Phone Number:
How should the notification to the employee be sent: employee's work location or other address, please provide mailing address:

New Position/Vacant Position Information:

New Position Authorization: New Request Job/Class Title:
Position Type: Permanent or Limited / Funding Source: Core, Partnership, or Sponsored
Vacant Position Number: Current Job/Class Title:
Agency/Department/Unit: Work Station: Zip Code:
Supervisor's Name, Title and Phone Number:

Type of Request:

- Management:** A management request to review the classification of an existing position, class, or create a new job class.
- Employee:** An employee's request to review the classification of his/her current position.

1. Job Duties

This is the **most critical** part of the form. Describe the activities and duties required in your job, **noting changes (new duties, duties no longer required, etc.) since the last review**. Place them in order of importance, beginning with the single most important activity or responsibility required in your job. The importance of the duties and expected end results should be clear, including the tolerance that may be permitted for error. Describe each job duty or activity as follows:

- **What** it is: The nature of the activity.
- **How** you do it: The steps you go through to perform the activity. Be specific so the reader can understand the steps.
- **Why** it is done: What you are attempting to accomplish and the end result of the activity.

For example a Tax Examiner might respond as follows: **(What)** *Audits tax returns and/or taxpayer records.* **(How)** *By developing investigation strategy; reviewing materials submitted; when appropriate interviewing people, other than the taxpayer, who have information about the taxpayer's business or residency.* **(Why)** *To determine actual tax liabilities.*

The Vermont Intelligence Center (VIC) is a comprehensive all-crimes fusion center that assists all law enforcement with criminal and counter terrorism investigations and operations in order to enhance public safety.

The VIC gathers and analyzes criminal and terrorism related information from all sources and multi-agency partners to produce and disseminate relevant and actionable intelligence to the federal, state, county and local law enforcement to include public and private sectors. The VIC serves as the focal point for the state in situational awareness information sharing and provides multidisciplinary expertise when briefing key decision makers at all levels of government in order to protect Vermont residents and critical infrastructure entities within from criminal activity and terrorism.

The VIC's mission is to examine all aspects of criminal activity with a nexus to and found within the State of Vermont. A priority of the VIC's personnel is to maintain partnerships and interact with all law enforcement agencies within the state of Vermont. Personnel within the VIC are dedicated to ensuring a timely response to incidents, sharing products and supporting effective, efficient, ethical, lawful and professional intelligence and information sharing processes.

The VIC Supports:

81 local, County and State Law Enforcement Agencies

1,230 Full Time Sworn Officers

780 Part-time Officers

All Federal Agencies in Vermont

Public and Private sectors of Vermont

The VIC provides service to all Federal, State, Local law enforcement, as well as public and private sector entities to maintain an accurate statewide threat, vulnerability, and risk assessment to enhance public safety. Using the information collected, a main priority is to identify patterns and indicators of criminal and terrorism-related activity in the state, to enable successful prevention and enforcement action.

The VIC is an around the clock operation, with regular in-office business hours, as well as personnel assigned to standby status to assist outside of regular hours. After hours standby is on a weekly rotational schedule between VIC staff. With only a few exceptions, assistance the VIC provides can be completed by working remotely. Exception of this is

when law enforcement request VIC personnel to respond on scene for immediate assistance with a major crime (homicide, kidnapping, etc.) and is determined on an as needed basis. The responsibilities detailed below can be performed during regular business hours, as well as after hours.

Responsibilities herein Include:

Amber & Blue Alert Systems; The VT-Alert system is used to notify the public of emergency situations. The VIC serves as Vermont's Amber and Blue Alert coordinators. Each of these systems must meet certain criteria in order to rise to the level of system activation. The Amber Alert criteria consists of these factors: the child must be 17-years of age or younger, belief that the child has been abducted and is in imminent danger of serious bodily harm or death, either at the hands of another or due to a proven mental or physical disability. The Blue Alert System criteria involves events where a law enforcement officer has been seriously injured, killed, or is missing in the line of duty warranting concern for the officer's safety, and the suspect(s) involved have fled and pose an imminent threat to the public or other law enforcement officers. VIC analysts must be subject matter experts to help guide agencies that may have a case that falls within these parameters. If these types of situations require system activation, VIC analysts collaborate with the investigating agency, additional state agencies, and must adhere to specific processes to execute notification. These situations can be incredibly fast paced, and have many moving parts. It is vital that any analyst assisting in a case that requires system activation ensures attention to detail to ensure the proper steps are taken for activation and cancellation procedures. Additionally, VIC analysts are expected to maintain up-to-date Amber Alert and Blue Alert activation and cancellation processes at all times.

CrimeNtel database management; Monitor, maintain, and train all Vermont law enforcement's utilization of the CrimeNtel database. This is the only intelligence database for law enforcement in the state of VT. Analysts are required to stay up to date on federal laws and ensure each entry into the system is in compliance with applicable federal law. This requires analysts to monitor and review every single entry that is input into the system to ensure they conform to the Federal Statute, 28 Code Federal Regulation Part 23, providing corrections and updates as needed. For any active investigations that have subjects and locations targeted, we submit that information to New England High Intensity Drug Trafficking Area (NEHIDTA)'s watch center to verify that no conflicts exist with other local, state, or federal agencies. If any conflicts exist, we provide notification to the officers involved. This provides a safety net that ensures officer safety by avoiding multi-jurisdictional conflicts. VIC staff provides periodic trainings to officers in a formal classroom setting, with additional ongoing assistance after initial training as needed. This database needs to be monitored daily.

Missing Persons; The VIC serves as the missing persons clearinghouse for all reported missing people in the State of Vermont. We developed a database to monitor missing persons cases and information received while the investigations are on-going. The database also assists with tracking our communication and follow up with investigative agencies to include status of the case, any products disseminated from our office, and investigative efforts that have been exhausted to locate the missing individual. Tasks for this include: Creating flyers on behalf of law enforcement agencies for the public, disseminating law enforcement sensitive standalone bulletins statewide, providing investigative resources through research on subjects involved, also featuring the active cases in our bi-weekly intelligence report that is also disseminated statewide. In order to maintain our database and the active cases within, consistent communication with case officers (as often as necessary, but at a minimum once every 7 days) and working with the Vermont Criminal Information Center (VCIC) to ensure their records and ours correspond. As required, we actively monitor the case notes entered into our state's Record

Management Systems (RMS) systems, Spillman and Valcour to assist the investigative agency, and keep the case actively progressing. The process developed by the VIC on tracking missing persons has been presented at various national conferences and we have been approached by agencies outside of Vermont on how to adopt a similar framework into their respective processes.

School Threats; The VIC has partnered with the Vermont State Police and the Governors Statewide School Safety Program to track school safety threats during the calendar year in Vermont. We communicate with the School Safety Liaison officer frequently on any reporting that has been received. We also monitor and notify the school safety liaison and other key decision makers of any school threats that are seen in the states RMS systems. Additionally, we monitor calls and case summaries to follow up on potential school threats to assist in accurate reporting in tandem with enhancing school safety. Similar to our database with missing people, we created and actively maintain a database with all school threat information to include manner in which threat was received, content/context of threat, credibility, suspect info, actions taken by school, if the school went into lockdown, etc. We are currently in the process of implementing a school threat tip program, that would be available for the public to anonymously submit school threat related information that we will then pass on to law enforcement. Additionally, analysts provide case support regarding active school threats as required. This may include standing up a temporary communication platform, known as a situation room, for Commanders and agencies to collaborate response efforts and receive up-to-date information during real time school threats. Analysts are responsible for maintaining communication within the room and providing case support as needed for active incidents.

2. Key Contacts

This question deals with the personal contacts and interactions that occur in this job. Provide brief typical examples indicating your primary contacts (**not** an exhaustive or all-inclusive list of contacts) other than those persons to whom you report or who report to you. If you work as part of a team, or if your primary contacts are with other agencies or groups outside State government describe those interactions, and what your role is. For example: you may *collaborate, monitor, guide, or facilitate change*.

Criminal Analysts at the VIC receive requests, both in email and by phone, on a daily basis. These contacts have potential to interact with state, local or federal law enforcement officers, contractors, state agencies, and other fusion centers. This position requires collaborating with both internal and external stakeholders to fulfill requests, answer questions and assist law enforcement on all levels.

A typical day may include contacts with individuals such as:

Ted Gangsei, Intelligence Officer, Office of Intelligence and Analysis, Department of Homeland Security (DHS I&A)

James Downes, Drug Intelligence Officer, New England High Intensity Drug Trafficking Area (NEHITDA)

Liza Dates, Intelligence Analyst, Federal Bureau of Investigation (FBI)

SA Jennifer Vandever, Cyber Task Force, Federal Bureau of Investigation (FBI)

SA Eric Brimo, Bureau of Alcohol Tobacco Firearms and Explosives (ATF)

Nancy Woods, Intelligence Analyst, Homeland Security Investigations (HIS)

Kevin Quinlan, Field Intelligence Manager, Drug Enforcement Administration (DEA)

Amanda Jones, Public Health Analyst, Vermont Department of Health (VDH)
Lynn McAfee, Criminal Intelligence Specialist, New England State Police Information Network (NESPIN)
Wade Johnson, Safety & Security Manager, Vermont Department of Corrections (DOC)
Shannon Morton, Staff Security Manager, Vermont Department of Children and Family (DCF)
William McSalis, Director of Safety & Security Vermont Department of Building and General Services (BGS)
CPT. Scott Dunlap, Major Crime Unit Commander, Vermont State Police (MCU)
CPT. David Peterson, Special Operations Commander, Vermont State Police
LT. Teresa Randall, Vermont Drug Task Force, Vermont State Police
LT. Greg Campbell, Technology Investigation Unit Commander, Vermont State Police
Ashley Barnes, Joint Terrorism Task Force, Vermont State Police (JTTF)
Jeff Sweeney, Joint Terrorism Task Force, US Customs and Border Patrol (JTTF)
Det. Krystal Wrinn, Chittenden Unit for Special Investigations (CUSI)
Rob Evans, Margolis Healy, Vermont School Safety Liaison
Carly Tapp, Program Specialist, National Center for Missing & Exploited Children (NCMEC)

Each of our contacts provide a variety of opportunities to collaborate on common goals which assist in improving the safety and security of all Vermonters. In our interaction with federal, state and local level law enforcement, VIC analysts may assist in guiding investigations by providing suggestions of areas that may be looked into further or sharing information to the appropriate entity for situational awareness purposes for those who have a need-to-know. In addition to the above contacts, analysts follow up every seven days on all active missing person investigations, this assists analysts in monitoring case progress and providing suggestions when appropriate on tools that may assist an investigating agency. Each contact provides unique opportunities to further case investigations and provide actionable intelligence that align with the VIC's mission.

3. Are there licensing, registration, or certification requirements; or special or unusual skills necessary to perform this job?

Include any special licenses, registrations, certifications, skills; (such as counseling, engineering, computer programming, graphic design, strategic planning, keyboarding) including skills with specific equipment, tools, technology, etc. (such as mainframe computers, power tools, trucks, road equipment, specific software packages). Be specific, if you must be able to drive a commercial vehicle, or must know Visual Basic, indicate so.

Analysts at the VIC require the following skills:

-Organizational and time management skills; ability to keep accurate and up to date relevant information, specifically ability to balance multiple projects under time-sensitive, stressful situations (Amber Alerts, homicides)

-Ability to determine appropriate collection methods for gathering information, analyzing the data collected, applying the information and determining how this information will impact Vermont at either a state or local level. This may require gathering data for a specific geographic area or relating to a specific trend at a national level and correlating

the information to gain a complete sense of the impact this may have to an area

-Quantitative and qualitative skills to assess data and derive insights

-Ability to independently determine the significance and reliability of incoming information and solve routine tasks of limited scope and complexity following standards of procedure

-During high-tempo operations, ability to communicate and collaborate as an effective part of a group/team, with ability to relay and articulate critical information to key decision makers

-Ability to understand complex cases and analyze data from a wide variety of sources to come to analytical conclusions

-Ability to understand and apply applicable policies, procedures, federal and state laws. Applications range from protecting citizens first amendment rights by appropriately applying our privacy policy or ensuring agencies are complying with the state's LPR policies when making requests

-Proficiency in Microsoft Office; specifically MS Word, MS Excel, MS PowerPoint, MS Publisher. Additionally, Sharepoint and its integration with Microsoft office

-Proficiency in the analytic employment of computer-based analysis or query tools in an intelligence setting. Specifically, experience with analysis and research tools such as ArcGIS, Analyst Notebook, i2, and systems alike

Criminal Intelligence Analysts must meet the following requirements:

Department of Homeland Security Secret Level Clearance; Criminal analysts must meet and maintain eligibility requirements. Maintaining this level of clearance throughout employment is required at the Vermont Intelligence Center.

Derivative Classification Certification; Per Under Secretary of Defense for Intelligence (USD(I)) Memorandum- Derivative Classification Training must be completed by analysts at the VIC on an annual basis. This training describes the process and methods for derivatively classifying information and explains how to apply authorized sources, based on the concepts of "contained in," "revealed by," and compilation. Additionally, the course outlines the responsibilities associated with derivatively classifying information, to include avoidance of over-classification, classification prohibitions and limitations, information sharing, classification challenges, and security incidents and sanctions.

Privacy Policy; The VIC's mission is to collect, evaluate, analyze, and disseminate information and data regarding criminal activity, officer safety, and the safety of the public, while following the Fair Information Practices to ensure the rights and privacy of citizens. The VIC's policy is to promote the VIC and its users' compliance with federal, state, local and tribal laws and assists its users in:

- Increasing public safety and improving national security
- Minimizing the threat and risk of injury to specific individuals
- Minimizing the threat and risk of injury to law enforcement and others responsible for public protection, safety, or health
- Minimizing the threat and risk of damage to real or personal property
- Protecting individual privacy, civil rights, civil liberties, and other protected interests
- Protecting the integrity of the criminal investigator, criminal intelligence, and justice system processes and information
- Minimizing reluctance of individuals or groups to use or cooperate with the justice system

- Supporting the role of the justice system in society
- Promoting governmental legitimacy and accountability
- Making the most effective use of public resources allocated to public safety agencies

All VIC personnel, participating agency personnel, personnel providing information/technology services and authorized users will ensure compliance while adhering to all rights granted by the U.S. and Vermont Constitutions. VIC analysts must understand, adhere to, and protect citizen's civil rights and civil liberties. Analysts must be able to understand and apply our comprehensive privacy policy as well as applicable federal and state protections to citizens. This may require analysts to educate law enforcement officers as to how the VIC can assist or educating as to why the VIC cannot assist to ensure the rights of the citizens are protected. Analysts can provide support to law enforcement for First Amendment protected-activities if a criminal predicate or reasonable suspicion of a public safety threat is present. If identified, the VIC is able to provide specific actionable intelligence based on the VIC's mission. VIC analysts must understand the type of information that can be collected and information that would be in violation of the standing privacy policy and procedures.

Internal Security and Privacy Policy Training; This is yearly training given to VIC personnel for review to maintain procedures for safeguarding sensitive information and or any changes that may be applicable from the previous years' version. It is vital to VIC operations that the privacy policy be adhered to.

National Crime Information Center (NCIC); Established in 1967 NCIC is a 24-hr, nationwide computerized, information system of missing, wanted, and dangerous persons and stolen property. This system was created to be utilized by all criminal justice agencies-local, state and federal. NCIC serves all 50 states, Washington D.C., Federal Criminal Justice agencies, Puerto Rico, Virgin Islands, and Canada. This system has over 90,000 users, and is a host to over 20 million records. The goal of NCIC is to help authorized agencies perform their duties by providing and maintaining a computerized filing system of accurate, timely and documented criminal justice information on wanted, missing, or dangerous persons and missing property. NCIC has two levels of certification:

Full Service Terminal Operators (FSTO) FSTO's are certified to perform all NCIC functions. This certification requires an 8-hour classroom training, and a passing score on an exam. The other level is Less than Full Service Operators (LFSTO). Not all members of the VIC are FSTO Certified, but every analyst is required to be LFSTO certified. LFSTO's are certified to perform only NCIC query functions. All users who directly query the NCIC system, including via mobile data terminals, are required to be certified. For LFSTO certification, a 4-hour classroom training and a passing score on an exam. Analysts at the VIC are required to maintain whichever level they are certified at on a yearly basis.

28 Code of Federal Regulations (CFR) Part 23; This is a federal guideline that provides guidance to law enforcement agencies on the implementation standards for operating multi-jurisdictional criminal intelligence systems. The purpose of this regulation is to ensure the protection of constitutional (civil rights and civil liberties) rights and further and individuals' reasonable expectation of privacy.

International Association of Law Enforcement Intelligence Analysts (IALEIA)'s Foundations of Intelligence Analysis Training (FIAT); This is a 40-hour in-classroom training course that meets the Minimum Criminal Intelligence Training Standards (MCITS) for law enforcement and other criminal justice agencies in the United States. The course covers the following:

- Introduction to Intelligence and the Intelligence Cycle
- Legal Issues and Ethics

- Sources of Information
- Core Competencies
- Creative VS Critical Thinking
- Logic
- Analysis of Competing Hypotheses (ACH)
- Recommendation Development
- Crime Analysis
- Indicator Development
- Association, Communication, Flow, Financial, and Strategic Analysis
- Products of Intelligence

VIC Analysts are expected to perform research, and information queries daily. This requires proficiency in the utilization of the states two Record Management Systems (RMS) Spillman and Valcour. These systems host the same type of data and law enforcement sensitive material, but run entirely different in how to operate within, and access information. Both RMS systems require that users maintain clearance to handle law enforcement sensitive information.

4. Do you supervise?

In this question "supervise" means if you direct the work of others where you are held **directly** responsible for assigning work; performance ratings; training; reward and discipline or effectively recommend such action; and other personnel matters. List the names, titles, and position numbers of the classified employees reporting to you:

This position does not have direct supervision responsibilities; however, all analysts participate in peer review to assist other co-workers. During the absence of leadership staff, the most senior analyst will often assume the duties of managing the floor. This ensures the daily workflow is being followed appropriately, the VIC privacy policy is being adhered to and assigning work as required.

This position is not required to train personnel or VIC staff; however, a majority of the work that is requested and or completed by VIC analysts is best taught while shadowing in real-time. Management staff will assign an analyst for new staff members to train on VIC systems and processes. Performance status, recommendation of reward and/or disciplinary actions are not required or performed by analysts that are assigned to assist in training new personnel. This is on a case-by-case basis, and varies in the level of depth depending on the staff members need-to-know per their position.

5. In what way does your supervisor provide you with work assignments and review your work?

This question deals with how you are supervised. Explain how you receive work assignments, how priorities are determined, and how your work is reviewed. There are a wide variety of ways a job can be supervised, so there may not be just one answer to this question. For example, some aspects of your work may be reviewed on a regular basis and in others you may operate within general guidelines with much independence in determining how you accomplish tasks.

Analysts and other VIC staff are assigned a "watch desk" duty on a rotational basis. Watch desk is a daily requirement to field all incoming requests from law enforcement agencies,

monitor current cases and missing persons around the state, and follow up as necessary. The watch desk will enter any daily requests into the VIC's Records Management System (RMS) via the HSIN Portal. As requests are entered, analysts on the watch desk will complete these requests. As additional requests are received, analysts will take any pending work until it is completed.

In addition to watch desk, analysts have other projects that may be assigned by the Director, Deputy Director, or larger requests made by law enforcement agencies or partners of the VIC. These requests are assigned based on analysts' current workload and distributed fairly evenly.

As work is completed, routine work requests are put up for review. Another analyst or management staff will review the work prior to the request being sent back. For larger projects, analysts will ask for peer review before sending a final product to Management staff.

6. Mental Effort

This section addresses the mental demands associated with this job. Describe the most mentally challenging part of your job or the most difficult typical problems you are expected to solve. Be sure to give a specific response and describe the situation(s) by example.

- For example, a purchasing clerk might respond: *In pricing purchase orders, I frequently must find the cost of materials not listed in the pricing guides. This involves locating vendors or other sources of pricing information for a great variety of materials.*
- Or, a systems developer might say: *Understanding the ways in which a database or program will be used, and what the users must accomplish and then developing a system to meet their needs, often with limited time and resources.*

95% of the work is related to classified, high level and intense situations relating to missing people, criminal activity, officer safety, school threats or other crime prevention. This type of work places intense demands on mental abilities.

Analysts are required to use an extensive number of databases and process large amounts of information to come to succinct and accurate conclusions. This requires the ability to critically think regarding the applicability of worldwide, national or regional events in the context of local impact while incorporating local information. Local information may include drawing data from law enforcement sources or summarizing intelligence reports in order to apply conclusions to the region. Additionally, analysts are often in high-pressure situations where multiple demands with competing priorities are required. This requires balancing multiple in-depth projects while continuing to provide a high level of service to stakeholders. Analysts must recall high level details, synthesize large amounts of data, while producing multiple products on different types of crimes or events that can have a direct impact on public safety.

Analysts must analyze details of criminal activities provided by multiple law enforcement entities. This occurs during regular business hours, as well as after hours. Analysts at the VIC understand that we run a 24/7 operation. In order to maintain operations analysts are rotationally scheduled for stand-by for a week at a time. The analyst on stand-by fields requests that come in after hours. The expectation is to be available to provide case assistance and maintain the same level of service no matter if a request is fielded during the day or night. Analysts may field multiple requests after-hours requiring immediate action and are required to work independently to fulfill requests, potentially under stressful circumstances.

Required to multi-task phone inquiries, requiring a high-level of listening skills, accurately reporting the information, while critically thinking to ask a variety of questions to elicit important information while also juggling inquiries transmitted via email.

Required to assess media reports to determine trends of unique instances of criminal activity or similar threats to the local region.

Required to provide executive summaries to law enforcement commanders, law enforcement partners or similar entities for situational awareness of on-going events or regarding active investigations.

Required to understand, assess and improve on the needs of law enforcement entities to meet stakeholder needs, including creating databases, web portals or products that help law enforcement understand the needs within the region, trends that may impact them or assist in providing a higher level of case support.

On occasion, analysts are required to respond to intense, high-stress events such as homicides and missing person cases. This requires analysts to remain on site for long hours and respond to high volumes of inquiries from all levels of law enforcement involved in the investigation, provide insights on case developments and create tools such as link analysis, communication analysis financial analysis, and other similar products in support of an active criminal investigation.

Analysts are required to be prepared to activate notification systems such as the Amber or Blue Alert system. This requires analysts to understand the criteria required for these unpredictable stressful events, know how to apply the criteria to various case scenarios to assist law enforcement in appropriately and accurately utilizing statewide resources during large scale incidents such as a child abduction or manhunt for an individual responsible for the death of a law enforcement officer. Often, this also requires educating agencies on the requirements and understanding whether or not a complex case may or may not meet the standards previously set for these notification systems.

7. Accountability

This section evaluates the job's expected results. In weighing the importance of results, consideration should be given to responsibility for the safety and well-being of people, protection of confidential information and protection of resources.

What is needed here is information not already presented about the job's scope of responsibility. What is the job's most significant influence upon the organization, or in what way does the job contribute to the organization's mission?

Provide annualized dollar figures if it makes sense to do so, explaining what the amount(s) represent.

For example:

- A social worker might respond: *To promote permanence for children through coordination and delivery of services;*
- A financial officer might state: *Overseeing preparation and ongoing management of division budget: \$2M Operating/Personal Services, \$1.5M Federal Grants.*

VIC Analysts directly support the organizations mission through collaborative efforts to advance the efficient, timely and accurate exchange of information between all of its law enforcement and homeland security partners at all levels of government while safeguarding the rights and privacy of all citizens. Products that are created by analysts

and disseminated from the VIC can have a direct impact on officer safety, the well-being of known missing/endangered persons, and the citizens of Vermont.

8. Working Conditions

The intent of this question is to describe any adverse conditions that are routine and expected in your job. It is not to identify special situations such as overcrowded conditions or understaffing.

- a) What significant mental stress are you exposed to? All jobs contain some amount of stress. If your job stands out as having a significant degree of mental or emotional pressure or tension associated with it, this should be described.

Type	How Much of the Time?
As an all-crimes fusion center, we provide assistance to an officer/agency with non-violent and violent crime investigations. The frequency of exposure to violent crime investigations is unpredictable, however it is an expectation that analysts are prepared to provide assistance no matter how graphic, or egregious the case details may be. Violent crime cases that VIC analysts assist with include but are not limited to: homicide, assault, sexual assault, crimes against children, kidnapping, human trafficking, etc. Constant exposure to this type of material has a higher risk of developing Secondary Traumatic Stress (STS), and/ or compassion fatigue. These types of mental stress occur when an individual is exposed to people who have been traumatized themselves, indirectly through case narratives detailing disturbing descriptions of traumatic events, or others inflicting cruelty on one another. The physical and emotional symptoms of STS and chronic fatigue can include difficulty sleeping, changes in weight, headaches, depersonalization, irritability, and poor job satisfaction.	Daily, throughout regular work week. Additionally when on standby for the VIC, calls can come in after hours at any time, and the severity of case details are unknown and cannot be predicted.

- b) What hazards, special conditions or discomfort are you exposed to? (Clarification of terms: **hazards** include such things as potential accidents, illness, chronic health conditions or other harm. Typical examples might involve exposure to dangerous persons, including potentially violent customers and clients, fumes, toxic waste, contaminated materials, vehicle accident, disease, cuts, falls, etc.; and **discomfort** includes exposure to such things as cold, dirt, dust, rain or snow, heat, etc.)

Type	How Much of the Time?
N/A	

c) What weights do you lift; how much do they weigh and how much time per day/week do you spend lifting?

Type	How Heavy?	How Much of the Time?
N/A		

d) What working positions (sitting, standing, bending, reaching) or types of effort (hiking, walking, driving) are required?

Type	How Much of the Time?
Sitting	Daily for 8 hours during the regular work week. If on stand-by status this is unpredictable, could potentially be 1-3 hours on a case-by-case basis.
Driving is required for any trainings assigned to attend, command post assistance, conferences, intelligence meetings, and anytime the VSP Major Crimes Unit (MCU) requests VIC personnel respond to an active violent crime investigation.	Trainings/Conferences/Intelligence meetings- 8-10 hrs/ calendar year. MCU call for VIC response- unpredictable, could potentially be 20-75 hours outside of regular work hours on a case-by-case basis.

Additional Information:

Carefully review your job description responses so far. If there is anything that you feel is important in understanding your job that you haven't clearly described, use this space for that purpose. Perhaps your job has some unique aspects or characteristics that weren't brought out by your answers to the previous questions. In this space, add any additional comments that you feel will add to a clear understanding of the requirements of your job.

Employee's Signature (required): _____ Date: _____

Supervisor's Section:

Carefully review this completed job description, but **do not** alter or eliminate any portion of the original response. Please answer the questions listed below.

1. What do you consider the most important duties of this job and why?

The Criminal Intelligence Analyst – Critical Infrastructure/Counterterrorism (CI/CT) is responsible for research, case support, operational support, and providing raw information, which may be shared with other local, state and federal partners with a primary focus on terrorist threats and critical infrastructure resiliency. Provide training and analysis for countering violent extremists, to include foreign terrorist organizations (FTO), homegrown violent extremists (HVE), and Domestic Violent Extremist (DVE) threats in the national, regional, and local environment.

2. What do you consider the most important knowledge, skills, and abilities of an employee in this job (not necessarily the qualifications of the present employee) and why?

This CI/CT Analyst position should be aware of current trends regarding critical infrastructure threats and preparedness, terrorism trends and activity to identify patterns or similarities that would be of value to law enforcement agencies and private/public stakeholders. ability to review and maintain material on assigned topics of specialization of various hate and criminal type organizations and be responsible for disseminating this information while assisting law enforcement agencies during investigations. Perform as the CI/CT liaison at local and regional information sharing meetings as a representative for the Vermont Intelligence Center and provide any relevant material, which may be appropriate for sharing with members through Law Enforcement Bulletins, Requests for Information, or fusion center products.

3. Comment on the accuracy and completeness of the responses by the employee. List below any missing items and/or differences where appropriate.

NA

4. Suggested Title and/or Pay Grade:

Criminal Intelligence Analyst, pay grade 23

Supervisor's Signature (required): _____ Date: _____

Personnel Administrator's Section:

Please complete any missing information on the front page of this form before submitting it for review.

Are there other changes to this position, for example: Change of supervisor, GUC, work station?

Yes No If yes, please provide detailed information.

Attachments:

- Organizational charts are **required** and must indicate where the position reports.
- Draft job specification is **required** for proposed new job classes.

Will this change affect other positions within the organization? If so, describe how, (for example, have duties been shifted within the unit requiring review of other positions; or are there other issues relevant to the classification review process).

No

Suggested Title and/or Pay Grade:


Criminal Intelligence Analyst

Personnel Administrator's Signature (**required**): Roxanne Royce Date: 10/13/2020

Appointing Authority's Section:

Please review this completed job description but **do not alter** or eliminate any of the entries. Add any clarifying information and/or additional comments (if necessary) in the space below.

Suggested Title and/or Pay Grade:



Appointing Authority or Authorized Representative Signature (**required**)

10/13/20

Date

Supervisor's Section:

Carefully review this completed job description, but **do not** alter or eliminate any portion of the original response. Please answer the questions listed below.

1. What do you consider the most important duties of this job and why?

The Criminal Intelligence Analyst – Critical Infrastructure/Counterterrorism (CI/CT) is responsible for research, case support, operational support, and providing raw information, which may be shared with other local, state and federal partners with a primary focus on terrorist threats and critical infrastructure resiliency. Provide training and analysis for countering violent extremists, to include foreign terrorist organizations (FTO), homegrown violent extremists (HVE), and Domestic Violent Extremist (DVE) threats in the national, regional, and local environment.

2. What do you consider the most important knowledge, skills, and abilities of an employee in this job (not necessarily the qualifications of the present employee) and why?

This CI/CT Analyst position should be aware of current trends regarding critical infrastructure threats and preparedness, terrorism trends and activity to identify patterns or similarities that would be of value to law enforcement agencies and private/public stakeholders. ability to review and maintain material on assigned topics of specialization of various hate and criminal type organizations and be responsible for disseminating this information while assisting law enforcement agencies during investigations. Perform as the CI/CT liaison at local and regional information sharing meetings as a representative for the Vermont Intelligence Center and provide any relevant material, which may be appropriate for sharing with members through Law Enforcement Bulletins, Requests for Information, or fusion center products.

3. Comment on the accuracy and completeness of the responses by the employee. List below any missing items and/or differences where appropriate.

NA

4. Suggested Title and/or Pay Grade:

Criminal Intelligence Analyst, pay grade 23

Supervisor's Signature (required):



Date:

10/9/20

Personnel Administrator's Section:

Please complete any missing information on the front page of this form before submitting it for review.

Are there other changes to this position, for example: Change of supervisor, GUC, work station?

Yes No If yes, please provide detailed information.

Criminal Intelligence Analyst

Job Code: 013800

Pay Plan: Classified

Pay Grade: 23

Occupational Category: Administrative Services, HR & Fiscal Operations

Effective Date: 11/1/19

Class Definition:

Criminal intelligence work at a professional level involves the application of the intelligence theory and practices which utilizes an intelligence process resulting in a final product. This work is an extremely important tool for modern day law enforcement as it saves investigators valuable resources when conducting criminal investigations and preventing crime. Work is performed under the general supervision of the Director and/or Deputy Director of the Vermont Intelligence Center or an administrative superior.

Examples of Work:

The Criminal Intelligence Analyst – Critical Infrastructure/Counterterrorism (CI/CT) is responsible for research, case support, operational support, and providing raw information, which may be shared with other local, state and federal partners with a primary focus on international and domestic terroristic threats and critical infrastructure resiliency.

Perform collection, analysis, and dissemination of information relative to threats or attacks of a terrorist or criminal nature within and against the State of Vermont, its citizens and critical infrastructure.

Daily review of on-line services, incoming bulletins, newsletters, and journals in order to be aware of current trends regarding critical infrastructure threats and preparedness, terrorism trends and activity to identify patterns or similarities that would be of value to law enforcement agencies and private/public stakeholders. Review and maintain material on assigned topics of specialization of various hate and criminal type organizations and be responsible for disseminating this information while assisting law enforcement agencies during investigations. Perform as the CI/CT liaison at local and regional information sharing meetings as a representative for the Vermont Intelligence Center and provide any relevant material, which may be appropriate for sharing with members through Law Enforcement Bulletins, Requests for Information, or fusion center products. Conduct maintenance of criminal information databases to ensure that all entries comply with Federal Regulations. Assist in the training of law enforcement agencies in the operation and functions of the intelligence cycle, the benefits of the analysis of information, and other topics related to information of crimes. Attends briefings, meetings, and trainings to further develop an understanding of critical infrastructure resiliency and terrorism as well as strengthen analytical skills.

Manage VIC Transnational Criminal Organization (TCO) program.

Provide training and analysis for countering violent extremists, to include foreign terrorist organizations (FTO), homegrown violent extremists (HVE), and Domestic Violent Extremist (DVE) threats in the national, regional, and local environment.

Work with Federal, State, Tribal, and Local governments and law enforcement; communities; non-governmental organizations; academia; educators; social services organizations; mental health providers; and the private sector.

Manage, train, and interact with the FBI Terrorist Screening Center and incorporate the Transnational Organized Crime (TOC) Actor Global Detection Enterprise. Submission and screening through the TOC watchlist program.

Develops or assist with risk analysis through threat and vulnerability assessments.

Interface and serve as a liaison with various state and local government, private sector, state and federal partner agencies.

Provide oral briefings or written reports on the current CI/CT environment, including DVEs, TCOs, and other topics as requested by senior executives, VIC customers, and partners.

On-Call duty: The Criminal Intelligence Analyst (CI/CT) at the VIC will work a week-long rotating after hours on-call schedule. This includes being available during all non-business hours, to include weekends and holidays.

Performs related duties as assigned and required.

Environmental Factors:

Significant pressure from deadlines is present due to a high volume of requests from the various stakeholders with the expectations that results are achieved. Additionally, the employee will be exposed to material that is hateful and negative. Duties are performed largely in an office environment and may require driving to training locations. Some work outside of normal office hours may be required.

Knowledge, Skills and Abilities:

Self-motivated with exemplary professionalism.

Considerable knowledge of all basic office-related software such as Word, Excel, Access.

Knowledge of methods and techniques used in researching, compiling, sorting, evaluating and analyzing criminal and offender information.

Strong analytical and problem-solving skills.

Excellent oral and written communication skills, including the ability to clearly articulate CI/CT trends and matters to a variety of audiences.

Ability to establish and maintain effective working relationships.

Ability to work effectively under rigid time restraints.

Minimum Qualifications

Bachelor's degree AND one (1) year or more of experience in law enforcement, records case management, public safety systems analysis, or public safety research.

OR

Associate degree AND three (3) years or more of experience in law enforcement, records case management, public safety systems analysis, or public safety research.

OR

High School diploma or equivalent AND five (5) years or more of experience in law enforcement, records case management, public safety systems analysis, or public safety research.

Preferred Qualifications:

Experience using intelligence collection databases and a basic understanding of GIS.

Formal Intelligence Analysis training and/or law enforcement experience.

Proficiency with any analytical software.

FEMA ICS and NIMS coursework

Special Requirements:

Must pass a Department of Public Safety conducted background check.

Must pass a federal secret clearance to retain employment. (This may take longer than the normal six (6) month probationary period, but employment in this position may be terminated for failure to have the ability to attain the secret clearance.)



Vermont Intelligence Center

FUNDING SOURCES



HSGP



DPS



Heroin



Director
Lt. Shawn Loan



Dep. Director
Ron LaFond



Sgt. Bill Sweeny
FBI - JTTF



Sgt. Greg Campbell
Homeland Security

Lead Criminal Analyst
Amy Paradis

Cyber Analyst
Pending background

Criminal Analyst
Rachel Ouimette

Drug Analyst
Erin Monahan



Det Cpl
Darryl Cremo

CI/CT Analyst
Pending position

U.S. Department of Homeland Security
Washington, D.C. 20472



Thomas Anderson
Vermont Department of Public Safety
45 State Drive
Waterbury, VT 05671 - 1300

Re: Grant No.EMW-2019-SS-00043

Dear Thomas Anderson:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2019 Homeland Security Grant Program has been approved in the amount of \$4,851,180.00. You are not required to match this award with any amount of non-Federal funds.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2019 Homeland Security Grant Program Notice of Funding Opportunity.
- FEMA Preparedness Grants Manual

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please log in to the ND Grants system at <https://portal.fema.gov>.

Step 2: After logging in, you will see the Home page with a Pending Tasks menu. Click on the Pending Tasks menu, select the Application sub-menu, and then click the link for "Award Offer Review" tasks. This link will navigate you to Award Packages that are pending review.

Step 3: Click the Review Award Package icon (wrench) to review the Award Package and accept or decline the award. Please save or print the Award Package for your records.

System for Award Management (SAM): Grant recipients are to keep all of their information up to date in SAM, in particular, your organization's name, address, DUNS number, EIN and banking information. Please ensure that the DUNS number used in SAM is the same one used to apply for all FEMA awards. Future payments will be contingent on the information provided in the SAM; therefore, it is imperative that the information is correct. The System for Award Management is located at <http://www.sam.gov>.

If you have any questions or have updated your information in SAM, please let your Grants Management Specialist (GMS) know as soon as possible. This will help us to make the necessary updates and avoid any interruptions in the payment process.

A handwritten signature in black ink, appearing to read "Bridget Bean". The signature is fluid and cursive, with a long horizontal stroke at the end.

BRIDGET ELLEN BEAN GPD Assistant Administrator

U.S. Department of Homeland Security
Washington, D.C. 20472



AGREEMENT ARTICLES
Homeland Security Grant Program

GRANTEE: Vermont Department of Public Safety
PROGRAM: Homeland Security Grant Program
AGREEMENT NUMBER: EMW-2019-SS-00043-S01

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Article I - Summary Description of Award

The purpose of the FY 2019 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience.

The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community. This HSGP award consists of State Homeland Security Program (SHSP) funding in the amount of \$4,077,500, and Operation Stonegarden (OPSG) funding in the amount of \$773,680. Vermont shall receive an Operation Stonegarden subaward for the following amount: \$773,680. These grant programs fund a range of activities, including planning, organization, equipment purchase, training, exercises, and management and administration across all core capabilities and mission areas.

Article II - Operation Stonegarden Program Hold

The recipient is prohibited from drawing down OPSG funding under this award or reimbursing OPSG subrecipients of this award until each unique, specific, or modified county level, tribal, or equivalent Operations Order or Fragmentary Order (Frago) has been reviewed by FEMA/GPD and Customs and Border Protection/United States Border Patrol (CBP/USBP). The recipient will receive the official notification of approval from FEMA/GPD.

Article III - Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made; including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

Article IV - Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. Section 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. Section 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article V - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

Article VI - Assurances, Administrative Requirements, Cost Principles, Representation and Certifications

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

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

Article VII - DHS Specific Acknowledgements and Assurances

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

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients of federal financial assistance from DHS must complete the *DHS Civil Rights Evaluation Tool* within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

Article VIII - Acknowledgement of Federal Funding from DHS

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

Article IX - Activities Conducted Abroad

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

Article X - Age Discrimination Act of 1975

Recipients must comply with the requirements of the *Age Discrimination Act of 1975*, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article XI - Americans with Disabilities Act of 1990

Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101-12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

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

Recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article XIII - Civil Rights Act of 1964 - Title VI

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

Article XIV - Civil Rights Act of 1968

Recipients must comply with Title VIII of the *Civil Rights Act of 1968*, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 *et seq.*), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units- i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)- be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article XV - Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article XVI - Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XVII - Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of sec. 5152-5158 of the *Drug-Free Workplace Act of 1988* (41 U.S.C. sections 8101-8106).

Article XVIII - Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article XIX - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

Recipients must comply with the requirements of Title IX of the *Education Amendments of 1972*, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 *et seq.*), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

Article XX - Energy Policy and Conservation Act

Recipients must comply with the requirements of the *Energy Policy and Conservation Act*, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. section 6201 *et seq.*), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article XXI - False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the *False Claims Act*, 31 U.S.C. sections 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

Article XXII - Federal Debt Status

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

Article XXIII - Federal Leadership on Reducing Text Messaging while Driving

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

Article XXIV - Fly America Act of 1974

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

Article XXV - Hotel and Motel Fire Safety Act of 1990

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

Article XXVI - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with the *Title VI of the Civil Rights Act of 1964* (42 U.S.C. section 2000d *et seq.*) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article XXVII - Lobbying Prohibitions

Recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article XXVIII - National Environmental Policy Act

Recipients must comply with the requirements of the *National Environmental Policy Act of 1969*, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 *et seq.*) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article XXIX - Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article XXX - Non-Supplanting Requirement

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article XXXI - Notice of Funding Opportunity Requirements

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

Article XXXII - Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the *Bayh-Dole Act*, 35 U.S.C. section 200 *et seq.* Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

Article XXXIII - Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the *Solid Waste Disposal Act*, Pub. L. No. 89-272 (1965) (codified as amended by the *Resource Conservation and Recovery Act*, 42 U.S.C. section 6962. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article XXXIV - Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, Pub. L. No. 93-112 (1973) (codified as amended at 29 U.S.C. section 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article XXXV - Reporting of Matters Related to Recipient Integrity and Performance

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

Article XXXVI - Reporting Subawards and Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXVII - SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XXXVIII - Terrorist Financing

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article XXXIX - Trafficking Victims Protection Act of 2000

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000* (TVPA), codified as amended at 22 U.S.C. Section 7104. The award term is located at 2 C.F.R. Section 175.15, the full text of which is incorporated here by reference.

Article XL - Universal Identifier and System for Award Management

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article XLI - USA Patriot Act of 2001

Recipients must comply with requirements of Section 817 of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001* (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.

Article XLII - Use of DHS Seal, Logo and Flags

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

Article XLIII - Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C section 2409, 41 U.S.C. section 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

Article XLIV - Environmental Planning and Historic Preservation

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.

DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's EHP screening form and instructions, go to the DHS/FEMA website at: <https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

BUDGET COST CATEGORIES

Personnel	\$369,918.28
Fringe Benefits	\$180,306.72
Travel	\$0.00
Equipment	\$50,000.00
Supplies	\$34,000.00
Contractual	\$4,095,298.96
Construction	\$0.00
Indirect Charges	\$121,656.04
Other	\$0.00

Obligating Document for Award/Amendment

1a. AGREEMENT NO. EMW-2019-SS-00043-S01
 2. AMENDMENT NO. ***
 3. RECIPIENT NO. 036000274
 4. TYPE OF ACTION AWARD
 5. CONTROL NO. WX04625N2019T, WX04626N2019T, WX04629N2019T

6. RECIPIENT NAME AND ADDRESS
 Vermont Department of Public Safety
 45 State Drive
 Waterbury, VT, 05671 - 1300
 7. ISSUING FEMA OFFICE AND ADDRESS
 FEMA-GPD
 400 C Street, SW, 3rd floor
 Washington, DC 20472-3645
 POC: 866-927-5646
 8. PAYMENT OFFICE AND ADDRESS
 FEMA Finance Center
 430 Market Street
 Winchester, VA 22603

9. NAME OF RECIPIENT PROJECT OFFICER
 Natalie Elvidge
 PHONE NO. 802-241-5445
 10. NAME OF FEMA PROJECT COORDINATOR
 Central Scheduling and Information Desk
 Phone: 800-368-6498
 Email: Askcsid@dhs.gov

11. EFFECTIVE DATE OF THIS ACTION
 09/01/2019
 12. METHOD OF PAYMENT
 PARS
 13. ASSISTANCE ARRANGEMENT
 Cost Reimbursement
 14. PERFORMANCE PERIOD
 From: 09/01/2019 To: 08/31/2022
 Budget Period 09/01/2019 08/31/2022

1 5. DESCRIPTION OF ACTION

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE)	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
Homeland Security Grant Program	97.067	2019-FA-GG01-P410--4101-D XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	\$0.00	\$4,077,500.00	\$4,077,500.00	See Totals
Homeland Security Grant Program	97.067	2019-FA-GH01-P410--4101-D	\$0.00	\$0.00	\$0.00	See Totals
Homeland Security Grant Program	97.067	2019-FA-GG02-P410--4101-D	\$0.00	\$773,680.00	\$773,680.00	See Totals
			\$0.00	\$4,851,180.00	\$4,851,180.00	\$0.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.

N/A

16 a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

Homeland Security Grant Program recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)

[Signature]
 Interm. Commissioner

DATE

8/27/19

18. FEMA SIGNATORY OFFICIAL (Name and Title)

[Signature]

DATE

Mon Aug 12 20:28:10 GMT 2019

SHENAUZ SUBRINA WONG, Assistant Officer



**VERMONT DEPARTMENT OF PUBLIC SAFETY
LETTER TO VERMONT STATE POLICE**

Federal Program Title: FY2019
Receiving DPS Division: Vermont State Police - Vermont Intelligence Center
Providing DPS Division: Department of Public Safety, Vermont State Police, Homeland Security Unit
Award Amount: \$589,000.00
Project Grant #: 02140-7H19222-101
02140-7H19222-102
02140-7H19242-102
02140-7H19252-106

Original Amendment #

Contacts:

The recipient Division contact person(s) for this award is:
Shawn Loan, (802) 872-6111, Shawn.Loan@vermont.gov

The providing Division contact person for this award is:
Monica Buzzell, 802-241-5395, Monica.Buzzell@vermont.gov
Natalie Elvidge, 802-241-5445, Natalie.Elvidge@vermont.gov

Amount: \$589,000.00 Direct Billing Allowed.

Source of Funds:

Federal Funds: 100 % Other Funds: %
Match Required: Yes No If Yes %, \$ If maximum reimbursement is sought.
CFDA Title: FY2019 State Homeland Security Grant Program
CFDA Number: 97.067
Award Name: State Homeland Security Grant Program
Award Number: BMW-2019-SS-00043
Award Year: 2019
Federal Granting Agency: U.S. Department of Homeland Security Grant Program
Research and Development Grant? Yes No

Performance Period: Execution date through 8/31/2022.

Amendment: No changes, modifications, or amendments in the terms and conditions of this Agreement shall be effective unless reduced to writing, numbered, and signed by the duly authorized representative of the State and Subrecipient. An amendment is a request to make a programmatic, administrative, or substantial financial change to this Agreement. Examples include changes in scope of work, budget modification, and change in Subgrant term (period of performance).

Attachments: This Agreement consists of 23 pages including the following attachments that are incorporated herein:

Please initial that you have read and understand each Attachment

 il Scope of Work to be Performed

 il Payment Provisions

 il Attachments D and E

We, the undersigned parties, agree to be bound by this agreement, its provisions, attachments and conditions contained herein.

Receiving Division Signature:

 Shawn Loan

Shawn Loan
Vermont State Police

Providing Division:

 Captain Kevin Lane

Captain Kevin Lane
Homeland Security Director

Date: *9/11/19*

Date: *9/18/19*

Your signature on this agreement attests to the acceptance of all provisions, attachments and conditions contained herein.

SCOPE OF WORK TO BE PERFORMED

Objective: State Homeland Security Grant Program supports the implementation of the Department of Public Safety (DPS), Homeland Security Unit (HSU) priorities to address the identified planning, organization, equipment, training, and exercise needs to prevent, protect against, respond to, recover from, and mitigate acts of terrorism.

Vermont State Police - Vermont Intelligence Center agrees to the below which have been approved by the Department of Public Safety, Homeland Security Unit (HSU). **Vermont State Police - Vermont Intelligence Center** may not change any information listed below. Any alternate information must be approved in writing with an executed amendment by the Department of Public Safety.

Activity to be Performed:

Purchase of the following: Salary and Benefits for: Deputy Director, Analyst #1, Analyst #2, Cyber Analyst, Critical Infrastructure/Counter Terrorism Analyst. Travel expenses for VIC staff (\$15,000), training and certification programs for VIC staff (\$15,000), Intelligence database (CrimeNetel or equivalent) equipment (\$24,000).

Performance Measures:

1. **Vermont State Police - Vermont Intelligence Center** will ensure that all members utilizing equipment provided by this grant are trained to the appropriate level to utilize the equipment and the agency will maintain records of training.
2. All items purchased must be on the DHS Authorized Equipment list. Items not listed on the DHS Authorized Equipment List may not be purchased, until a waiver of approval has been granted from DHS. If those items are not approved, an amendment to utilize the funds for different approved items on DHS Authorized Equipment List may be sought from the Department of Public Safety in writing.
 - a. For equipment in which a waiver is required, an approved waiver from DHS must be received prior to any purchase.
3. **Vermont State Police - Vermont Intelligence Center** will ensure that equipment is accounted for throughout its operational lifetime.
 - a. Agencies must maintain a Homeland Security Unit (HSU) Property Records List. This can be combined with the agencies ongoing asset list, however, items purchased with Homeland Security Grant Funds must be identified as such on the asset list.
 - b. If the agencies ongoing asset list is utilized, then 2 CFR 200.313 Code of Federal Regulations must be referenced to ensure that all categories detailed are utilized, as required.
 - c. All equipment over \$5,000.00 per unit price, as well as electronics and IT related equipment, purchased through this grant must be included on the Homeland Security Unit (HSU) Property Records List.
 - d. A complete, up to date, Homeland Security Unit (HSU) Property Records List must be submitted with each Financial Reimbursement Form. Final payment may be held until this is received by Department of Public Safety (DPS), Homeland Security Unit (HSU).
4. **Vermont State Police - Vermont Intelligence Center** will submit a completed Program Progress Report Form detailing status of performance measures and project progress.
 - a. A completed Program Progress Report Form must be submitted each time reimbursement is requested or bi-annually, at a minimum. The reporting periods are July 1 - December 31 (due January 15), January 1 - June 30 (due July 15). A final report is due within 30 days of the end

- date of this grant agreement. Program Progress Report Form is required even if no activity has been performed on the project.
- b. Program Progress Report Form is required even if no activity has been performed on the project.
 - c. The Program Progress Report Form shall be completed to the best of the grantees' ability. Blank, incomplete, or insufficient Program Progress Report Forms will not be accepted.
 - d. The State reserves the right to withhold part or all grant funds if the State does not receive timely documentation of the successful completion of grant deliverables.
5. **Vermont State Police - Vermont Intelligence Center** will ensure that this project is fully operational within the Period of Performance and report back to the DPS Financial Office accordingly.
 6. **Vermont State Police - Vermont Intelligence Center** will inform the DPS Financial Office in writing of any delays, proposed equipment substitutions, or desired changes to the physical/geographic deployment, concept of operations, equipment substitutions, and/or technical specifications in order to determine if an amendment to this agreement is warranted prior to any changes or purchases being made.
 - a. If an amendment to this agreement is necessary, no purchases or work may be completed under the adjusted scope of the agreement until the amendment has been executed by DPS.
 7. Any recipient of Homeland Security Grant Program funds may be subject to programmatic monitoring to ensure that the recipient is in compliance with applicable Federal statutes and regulations and terms of the agreement.
 8. **The Vermont Intelligence Center** must comply with the following requirements:
 - a. Successful completion of the annual Fusion Center Assessment managed by the DHS Office of Intelligence and Analysis (I&A). The Fusion Center Assessment captures performance metrics for each fusion center and is comprised of the self-assessment questions, staffing, product, and cost assessment data tables, and validation.
 - b. Maintain approved plans, policies, or standing operating procedures (SOPs) for their operations.
 - c. Develop and implement privacy, civil rights, and civil liberties (P/CRCL) protections, including:
 - i. Maintaining an approved P/CRCL policy that is determined to be at least as comprehensive as the ISE Privacy Guidelines
 - ii. Ensuring the most current approved P/CRCL policy is publicly available
 - iii. Conducting a compliance review of their P/CRCL policy in accordance with the Privacy Civil Rights and Civil Liberties Compliance Verification for the Intelligence Enterprise
 - iv. Conducting an audit of their P/CRCL policy in accordance with the Privacy, Civil Rights, and Civil Liberties Audit Guidance for the State, Local, Tribal, and Territorial Intelligence Component
 - v. Ensuring there is a process in place for addressing and adjudicating complaints alleging violations of P/CRCL
 - vi. Ensuring all analytic products (as defined by the annual Assessment process) are reviewed for P/CRCL issues prior to dissemination and posting to HSIN-Intel
 - vii. Ensuring all staff receive annual training on the center's P/CRCL policies
 - viii. Ensure all staff are trained on 28 CFR Part 23

- ix. Ensure all criminal intelligence systems, processes, and policies operate in accordance with 28 CFR Part 23
- x. All fusion centers leveraging License Plate Reader (LPR) data or tools for intelligence, investigative, or analytic purposes, maintain an approved LPR policy in accordance with the License Plate Reader Policy Development Template for Use in Intelligence and Investigative Activities
- xi. All fusion centers leveraging facial recognition data or tools for intelligence, investigative, or analytic purposes, maintain an approved facial recognition policy in accordance with the Face Recognition Policy Development Template For Use In Criminal Intelligence and Investigative Activities
- d. All fusion center analytic personnel must meet designated competencies, as identified in the Common Competencies for State, Local, and Tribal Intelligence Analysts, that have been acquired through experience or approved training courses.
- e. Successfully complete an exercise to evaluate the execution of the intelligence cycle at least once every two years and address any corrective actions arising from the successfully completed exercises within the timeframe identified in the each exercise's After Action Report (AAR).
- f. Leverage the Homeland Security Information Network (HSIN), including HSIN-Intel and HSIN Exchange, to execute and/or manage the following:
 - i. Assign a HSIN-Intel Coordinator responsible for managing the sharing of finished analytic products and planned production, as well as fusion center personnel access to HSIN-Intel, HSIN SitRoom, and HSIN Exchange.
 - ii. Post 100 percent (100%) of distributable analytical products to HSIN-Intel.
 - iii. Ensure all distributable products are tagged to Homeland Security (HSEC) Standing Information Needs (SINs).
 - iv. Share information associated with all planned or proposed distributable analytic products in HSIN-Intel's Planned Production Tool.
 - v. Leverage formalized processes via HSIN Exchange to track incoming and outgoing Requests for Information (RFI), including send/recipient and actions taken.
 - vi. Provide responses to all RFI received from the FBI Terrorist Screening Center (TSC) utilizing the TSC Encounter Workup Model Template within HSIN Exchange.
- g. For States that have multiple designated fusion centers, the primary fusion center has documented a plan that governs the coordination and interactions of all fusion centers within the state.
- h. Have a formalized governance or oversight body with appropriate partner representation.
- i. Conduct an annual threat assessment for their area of responsibility and ensure this assessment is:
 - i. Developed in accordance with the Annual Fusion Center Threat Assessment Template: A Recommended Framework (available on HSIN-Intel).
 - ii. Leveraged for or contributes to the Threat and Hazard Identification and Risk Assessment (THIRA) for their area of responsibility.
 - iii. Distributed via HSIN-Intel as an analytic product.

- j. All fusion centers that provide case support must conduct event deconfliction of all significant investigative information using one of the following systems: RISSafe, Case Explorer, or SAFETNet.
- k. Assign a Nationwide SAR Initiative (NSI) point-of-contact (POC) responsible for coordinating matters related to the intake, analysis, and reporting of suspicious activity and tips/leads, coordinating training and engagements for the area of responsibility, and managing metrics/statistics (i.e. training numbers, reports shared, etc.)
- l. Ensure all fusion centers have a current and approved MOU with the DHS I&A

PAYMENT PROVISIONS

The State agrees to compensate for services performed, up to the Federal share amount stated below, provided such services are within the scope of the Agreement and are authorized as provided for under the terms and conditions of this Agreement.

Budget Detail:

Salaries and Benefits	\$ 535,000.00
Contractual	\$
Supplies	\$
Travel & Mileage	\$ 15,000.00
Equipment *	\$ 24,000.00
Other Costs	\$ 15,000.00
Indirect Cost **	\$
Total Federal Share	\$ 589,000.00
Total Non-Federal Share (Match)	\$

PG	Description	Total
7H19222-101	Local - LE - Org - VIC - VIC Personnel (5)	\$535,000.00
7H19222-102	Local - LE - Training - VIC - Travel	\$ 15,000.00
7H19242-102	Local - LE - Training - VIC - Training	\$ 15,000.00
7H19252-106	Local - Equip - VIC - Expenses – Intelligence database (CrimeNtel or equivalent)	\$ 24,000.00
	TOTAL	\$ 589,000.00

Vermont State Police - Vermont Intelligence Center agrees that grant funds awarded will be used to supplement existing funds for program activities, and will not supplant (replace) non-Federal funds. Subrecipients must be able to document local funds were not supplanted with funds from this award (for example: personnel expenses must be supported with actual budget allocations which include this funding source).

* Federal equipment threshold is \$5,000.00¹. Please reference Federal equipment compliance requirements.² Subrecipients must follow their own procurement policy unless the Federal and State requirements are more restrictive.

** Current Rate Approval Letter (under 2 CFR 200.331(a)(4)) must be on file with DPS. It is also important to note that indirect rates may be subject to statutory caps of the Federal program which supersede the requirements of the Uniform Guidance. Refer to Bulletin 5 for further guidance.

(Not applicable to Homeland Security Grant Fund awards): During the performance of this Agreement, any of the cost categories may be increased or decreased by up to 10% of the total award with prior written approval from the DPS Financial Office contact. Approval may be authorized provided:

1. The request is within the Total Award Amount in effect at the time of the adjustment
2. The request does not change the Scope of Work in Attachment A

¹ 2 CFR § 200.313 (d)(1)

² 2 CFR § 200.313 (d)(2)

PROGRAMMATIC REPORTING REQUIREMENTS:

1. Under 2 CFR 200.328 (d) *Significant Developments*: Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, the subrecipient must inform DPS *as soon as* the following types of conditions become known:
 - a) Problems, delays, or adverse conditions which will *materially impair* the ability to meet the objective of the award. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation.
 - b) Favorable developments which enable meeting time schedules and objectives *sooner or at less cost* than anticipated or producing *more or different beneficial results* than originally planned.
2. Under 2 CFR 200.201: The subrecipient must certify in writing to DPS at the end of the award that the project or activity was completed or the level of effort was expended. If the required level of activity or effort was not carried out, the amount of the Federal award must be adjusted.
3. Changes in principal personnel or scope of effort must receive the prior written approval of DPS.

FINANCIAL REPORTING REQUIREMENTS /PAYMENT REQUESTS:

The State, at its discretion, will reimburse the Vermont State Police - Vermont Intelligence Center by one of the following options depending on the needs of the Vermont State Police - Vermont Intelligence Center and their standing with the State at the time they request Agreement funds:

1. The Vermont State Police will adhere the State of Vermont, Department of Public Safety Purchasing Policy.
2. The Vermont State Police will ensure that the Purchase Orders are complete and sent to Financial Office for approval.
3. The Vermont State Police will provide Financial Office with:
 - a. all original invoices and packaging slips (REQUIRED BY THE ACCOUNTING DEPARTMENT)
 - b. Program Progress Report Form
 - c. HSU Property Records List - All equipment over \$5,000.00 per unit price, as well as electronics and IT related equipment, purchased through this grant must be included on the HSU Property Records List. The Vermont State Police shall indicate all information listed in the 2CFR 200.
4. The Vermont State Police will track the grant funds to ensure that the project is completed before the expiration date.
5. The Vermont State Police will notify in writing of any proposed changes to the allowable expenditures.
6. The Vermont State Police will report all funds not expended upon completion of the project.
7. Either party can cancel this agreement within 30 days' notice.
8. All expenses must be incurred by 8/31/2022. These expenses must be paid no later than the end of the month following the month in which the expenses were incurred.
9. DPS Financial Office Contact is:

Name: Monica Buzzell
Address: 45 State Drive, Waterbury, VT 054671-1300
Phone #: 802-241-5395
FAX#: 802-241-5553
Email: Monica.Buzzell@vermont.gov

10. DPS may withhold payment until required documentation is complete and correct.

CLOSEOUT:

When a performance period is nearing its end, the Vermont State Police - Vermont Intelligence Center should ensure all work is complete and file their reports by the deadlines noted this agreement. If they have determined a need for an extension, it must be requested with one (1) month notice to allow for DPS to review and approve prior to the end of the current award term. If the performance period and date for the final report ends and the Vermont State Police - Vermont Intelligence Center does not contact DPS for an extension, the Financial Office will close out the award. Upon final payment and verification that all reporting obligations have been met, a closeout letter will be issued.

APPENDIX A
PERFORMANCE MEASURES

- 2019.1 Percentage of Federal Information Intelligence Reports (IIRs) originating from fusion center information that address a specific Intelligence Community need
- 2019.2 Percentage of evaluation Federal IIRs originating from fusion center information that the Intelligence Community otherwise used in performing its mission (e.g., contained first-time reporting; corroborated existing information; addressed a critical intelligence gaps; or helped define an issue or target).
- 2019.3 Percentage of fusion center distributable analytic products that address a specific Intelligence Community need
- 2019.4 Number of Suspicious Reports (SAR) vetted and submitted by fusion centers that result in the initiation or enhancement of an investigation by the Federal Bureau of Investigation (FBI)
- 2019.5 Number of SAR vetted and submitted by fusion centers that involve an individual on the TSC Watchlist
- 2019.6 Percentage of Requests for Information (RFIs) from the Terrorist Screening Center (TSC) for which fusion centers provided information for a TSC case file
- 2019.7 Percentage of I&A Watchlist nominations that were initiated or updated existing case files based on information provided by fusion centers.
- 2019.8 Number of distributable analytic products co-authored by one or more fusion centers and/or Federal agencies
- 2019.9 Percentage of fusion center distributable analytic products that address Homeland Security topics
- 2019.1 Percentage of fusion center distributable analytic products that address state/local customer information needs
- 2019.11 Percentage of key customers reporting that they are satisfied with fusion center products and services
- 2019.12 Percentage of key customers reporting that fusion center products and services are relevant
- 2019.13 Percentage of key customers reporting that fusion center products and services are timely for mission needs
- 2019.14 Percentage of key customers reporting that fusion center products and services influenced their decision making related to threat response activities within their AOR
- 2019.15 Percentage of key customers reporting that fusion center products and services resulted in increased situational awareness of threats within their AOR

- 2019.16 Number of tips and leads vetted by the fusion center
- 2019.17 Number of tips and leads vetted by the fusion center that were provided to other F/SLTT agencies for follow up action
- 2019.18 Number of responses to RFIs from all sources
- 2019.19 Number of situational awareness products developed and disseminated by fusion centers
- 2019.20 Number of case support and/or tactical products developed and disseminated by fusion centers
- 2019.21 Percentage of Federally designated special events in which fusion centers played a direct role
- 2019.22 Percentage of Federally declared disasters in which fusion centers played a direct role
- 2019.23 Number of public safety incidents in which fusion centers played a direct role

**ATTACHMENT D
OTHER GRANT AGREEMENT PROVISIONS**

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER
RESPONSIBILITY MATTERS; DRUG-FREE WORKPLACE REQUIREMENTS; PROCUREMENT;
ORGANIZATIONAL AND FINANCIAL REQUIREMENT; FOLLOWING SUBRECIPIENT
PROCEDURES; DISCLOSURE OF INFORMATION AND CONFLICT OF INTEREST;**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this agreement provides for compliance with certification requirements under 10 CFR Part 601 "New Restrictions on Lobbying," and 10 CFR Part 1036 "Government wide Debarment and Suspension (Nonprocurement) and Government wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Public Safety determines to award the covered transaction, grant, or other agreement.

1. LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and

submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, Agreements, and contracts under grants, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**2. DEBARMENT,
SUSPENSION, AND OTHER
RESPONSIBILITY
MATTERS**

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

2. Where the prospective primary participant is unable to

certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

3. Applicable CFR's and Federal Executive Orders 12549 and 12689 prohibit non-federal entities from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement contracts for goods or services equal to or in excess of \$25,000 and non-procurement transactions such as grants or cooperative agreements. By signing this Agreement, the Subgrantee agrees it will verify the status of potential vendors prior to any federal funds being obligated to prevent any debarred or suspended agencies or vendors from receiving federal funds. The Subrecipient can confirm the status of potential vendors by conducting a search on the System for Award Management (SAM) website (<https://www.sam.gov/portal/public/SAM/>). At this time, DPS does not require Subrecipients to submit proof of verification with any reimbursement request; however, the Subrecipient must maintain this information, in the form of a screen print, with other grant documentation. This documentation shall be available for review per Attachment C.

3. DRUG-FREE WORKPLACE

This certification is required by the Drug-Free Workplace Act of 1988 (Pub.L. 100-690, Title V, Subtitle D) and is implemented through additions to the Debarment and Suspension

regulations, published in the Federal Register on January 31, 1989, and May 25, 1990.

The Subrecipient will or will continue to provide a drug-free workplace by:³

1. Maintaining a Zero Tolerance Drug Policy;
2. Posting in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the Subrecipient's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
3. Stating in all solicitations or advertisements for employees or subcontractors placed by or on behalf of the Subrecipient that the Subrecipient maintains a drug-free workplace;
4. Establishing an ongoing drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) The Subrecipient's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (e) Including the provisions of the foregoing clauses in all third party contracts, subcontracts, and purchase orders that exceed ten thousand dollars (\$10,000.00), so that the provisions will be binding upon each subcontractor or vendor.

4. PROCUREMENT:

The Subrecipient agrees to abide by their respective procurement rules, policies, and/or procedures as outlined in 2 CFR §§ 200.317 to 200.326.

1. Subrecipient must comply with proper competitive bidding procedures as required by the applicable federal and state rules.
2. The subrecipient entity must maintain written standards of conduct covering conflict of interest and governing the actions of its employees and engaged in selection, award, and administration of contracts.⁴
3. The subrecipient must take all necessary affirmative steps to assure that minority business, women's business enterprises, and labor surplus area firms are used when possible. Please see 2 CFR § 200.321 for the affirmative steps that must be taken.

5. ORGANIZATIONAL AND FINANCIAL REQUIREMENTS

1. All Subrecipients are required to establish and maintain accounting systems and financial records to accurately account for funds awarded to them. Determining allowability of costs claimed will be consistent with the requirements of the grant award and its applicable regulations.
 - a. Subrecipients have the responsibility to employ the organizational and management techniques necessary to assure proper administration and cost allocation, including accounting, budgeting, reporting, auditing and other review controls.
 - b. All Subrecipients will accept responsibility for expending and accounting for funds in a manner consistent with an approved project, plan and or

³ 2 CFR § 182

⁴ 2 CFR § 200.318(c)(1)

program as evidenced by their acceptance of an Agreement award by the Department of Public Safety; Policies, procedures, reporting requirements or other special conditions established by the appropriate Federal agency, if applicable, and the Department of Public Safety.

2. Subrecipients must have an adequate system of internal controls which:
 - a. Presents, classifies and retains all detailed financial records related to the Agreement award. Financial records must be retained by the Subrecipient and be available for review for a period of three (3) years after the expiration of the grant period except that records must be retained until completion or resolution of all issues arising from audit, litigation or claims started before the expiration of the three year period, whichever is later.
 - b. Provides reasonable assurance that Federal awards are managed in compliance with Federal statutes, regulations, and the terms and conditions. These internal controls should be in compliance with the guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework," issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
 - c. Provides information for planning, control and evaluation of direct and indirect costs;
 - d. Provides cost and property control to ensure optimal use of the grant funds;Controls funds and other resources to ensure that the expenditure of grant funds and

use of any property acquired under the grant are in conformance with established guidelines and policies.

3. Notification of Organizational Changes Required:

- a. The recipient shall provide DPS written notification within 30 days should any of the following events occur:
 - i. having new or substantially changed systems
 - ii. having new compliance personnel
 - iii. loss of license or accreditation to operate program
 - iv. organizational restructuring.

6. FOLLOWING SUBRECIPIENT PROCEDURES:

The undersigned certifies that the Subrecipient organization has in place standard policies and procedures that govern the Subrecipient's payroll, purchasing, contracting and inventory control in accordance with 2 CFR 225, Appendix A, Section C 1.e or 2 CFR 200.302. The undersigned further certifies that the Subrecipient organization will use those policies and procedures for any approved expenditure under this Agreement and for any equipment purchased with Agreement funds. The undersigned also agrees to make the policies and procedures available for examination by any authorized representatives of the State or Federal Government. This does not relieve the Subrecipient from requirements of federal financial management, requirements in: (a) 2 CFR 200 § 302 Financial Management

7. DISCLOSURE OF INFORMATION:

Any confidential or personally identifiable information (PII) acquired by subrecipient during the course of the subgrant shall not be disclosed by subrecipient to any person, firm, corporation, association, or other entity for any reason or purpose whatsoever without the prior written consent of the Department of Public Safety either during the term of the Agreement or in the event of termination of the Agreement for any reason whatsoever. Subrecipient agrees to abide by applicable federal regulations regarding confidential information and research standards, as appropriate, for federally supported projects.

8. CONFLICT OF INTEREST

Subgrantee/Contractor covenants that, to the best of its knowledge, no person under its employ, including subcontractors, who presently exercises any functions or responsibilities in connection with Board, Department, or projects or programs funded by Board or Department, has any personal financial interest, direct or indirect, in this Subgrant Agreement /Contract.

1. Subgrantee/Contractor further covenants that in the performance of Subgrant Agreement/Contract, no person having such conflicting interest shall knowingly be employed by Subgrantee/Contractor.

2. Any such interest, on the part of Subgrantee /Contractor or its employees, when known, must be disclosed in writing to Department.

**ATTACHMENT E
FUNDING SOURCE SPECIAL CONDITIONS**

This Agreement is subject to the requirements of all federal laws, policies and bulletins. Most notably:

National Incident Management (NIMS) - Recipients of this award must be compliant with the National Incident Management System activities set forth in the Vermont's NIMS Implementation Plan. As outlined in HSPD-5 (National Incident Management) DHS mandates that States institutionalize NIMS. The Subrecipient agrees to incorporate NIMS into existing training programs and exercises; incorporate NIMS into Local Emergency Operations Plans (LEOP's); promote intrastate mutual aid agreements and institutionalize the use of the Incident Command System.

Interoperability Communications - As part of this agreement, the Subrecipient agrees that the U-Call/V-Call and U-Tac/V-Tac frequencies must be programmed into all applicable interoperable communications equipment. All channels other than U-CALL 40 are used in simplex mode.

V-CALL10	(Formerly VCALL)	Command	155.7525
V-TAC11	(Formerly V-TAC 1)	Dispatch/Lifeline	151.1375
V-TAC12	(Formerly V-TAC 2)	Tactical/Fire Ground	154.4525
V-TAC13	(Formerly V-TAC 3)	Tactical/Search & Rescue	158.7375
V-TAC14	(Formerly V-TAC 4)	Tactical/Air or Ground EMS Operations	159.4725
U-CALL40	(Formerly U-CALL)	Dispatch/Lifeline	453.2125
U-TAC41	(Formerly U-TAC 1)	Command	453.4625
U-TAC42	(Formerly U-TAC 2)	Tactical	453.7125
U-TAC43	(Formerly U-TAC 3)	Tactical	453.8625

Regional Coordination - A high priority is placed on ensuring that all awards reflect regional coordination and regional integration.

Permits - All local, state and federal permits are the responsibility of the Subrecipient.

Prior Approval/Review of Releases - Any notices, information pamphlets, press releases, research reports, or similar other publications prepared and released in written or oral form by the Subrecipient under this Grant Agreement shall be approved/reviewed by the State prior to release.

Data Collection - The Subrecipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

Article I - Summary Description of Award

The purpose of the FY 2019 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community. This HSGP award consists of State Homeland Security Program (SHSP) funding in the amount of \$4,077,500, and Operation Stonegarden (OPSG) funding in the amount of \$773,680. Vermont shall receive an Operation Stonegarden subaward for the following amount: \$773,680. These grant programs fund a range of activities,

including planning, organization, equipment purchase, training, exercises, and management and administration across all core capabilities and mission areas.

Article II - Operation Stonegarden Program Hold

The recipient is prohibited from drawing down OPSG funding under this award or reimbursing OPSG subrecipients of this award until each unique, specific, or modified county level, tribal, or equivalent Operations Order or Fragmentary Order (Frago) has been reviewed by FEMA/GPD and Customs and Border Protection/United States Border Patrol (CBP/USBP). The recipient will receive the official notification of approval from FEMA/GPD.

Article III - Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

Article IV - Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. Section 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. Section 200.308(e) regarding the transfer of funds among direct cost categories; programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article V - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

Article VI - Assurances, Administrative Requirements, Cost Principles, Representation and Certifications

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

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

Article VII - DHS Specific Acknowledgements and Assurances

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

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients of federal financial assistance from DHS must complete the *DHS Civil Rights Evaluation Tool* within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

Article VIII - Acknowledgement of Federal Funding from DHS

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

Article IX - Activities Conducted Abroad

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

Article X - Age Discrimination Act of 1975

Recipients must comply with the requirements of the *Age Discrimination Act of 1975*, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article XI - Americans with Disabilities Act of 1990

Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101-12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

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

Recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article XIII - Civil Rights Act of 1964 - Title VI

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

Article XIV - Civil Rights Act of 1968

Recipients must comply with Title VIII of the *Civil Rights Act of 1968*, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings; or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 *et seq.*), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units- i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)- be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article XV - Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article XVI - Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XVII - Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of sec. 5152-5158 of the *Drug-Free Workplace Act of 1988* (41 U.S.C. sections 8101-8106).

Article XVIII - Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from

shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article XIX - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

Recipients must comply with the requirements of Title IX of the *Education Amendments of 1972*, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 *et seq.*), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

Article XX - Energy Policy and Conservation Act

Recipients must comply with the requirements of the *Energy Policy and Conservation Act*, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. section 6201 *et seq.*), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article XXI - False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the *False Claims Act*, 31 U.S.C. sections 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

Article XXII - Federal Debt Status

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

Article XXIII - Federal Leadership on Reducing Text Messaging while Driving

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

Article XXIV - Fly America Act of 1974

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

Article XXV - Hotel and Motel Fire Safety Act of 1990

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

Article XXVI - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with the *Title VI of the Civil Rights Act of 1964* (42 U.S.C. section 2000d *et seq.*)

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

Article XXVII - Lobbying Prohibitions

Recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article XXVIII - National Environmental Policy Act

Recipients must comply with the requirements of the *National Environmental Policy Act of 1969*, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 *et seq.*) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article XXIX - Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article XXX - Non-Supplanting Requirement

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article XXXI - Notice of Funding Opportunity Requirements

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

Article XXXII - Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the *Bayh-Dole Act*, 35 U.S.C. section 200 *et seq.* Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

Article XXXIII - Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the *Solid Waste Disposal Act*, Pub. L. No. 89-272 (1965) (codified as amended by the *Resource Conservation and Recovery Act*, 42 U.S.C. section 6962. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article XXXIV - Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, Pub. L. No. 93-112 (1973) (codified as amended at 29 U.S.C. section 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article XXXV - Reporting of Matters Related to Recipient Integrity and Performance

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

Article XXXVI - Reporting Subawards and Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXVII - SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XXXVIII - Terrorist Financing

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article XXXIX - Trafficking Victims Protection Act of 2000

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000* (TVPA), codified as amended at 22 U.S.C. Section 7104. The award term is located at 2 C.F.R. Section 175.15; the full text of which is incorporated here by reference.

Article XL - Universal Identifier and System for Award Management

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article XLI - USA Patriot Act of 2001

Recipients must comply with requirements of Section 817 of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001* (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.

Article XLII - Use of DHS Seal, Logo and Flags

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

Article XLIII - Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C section 2409, 41 U.S.C. section 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

Article XLIV - Environmental Planning and Historic Preservation

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.

DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/ FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's EHP screening form and instructions, go to the DHS/FEMA website at: [https:// www.fema.gov/media-library/assets/documents/90195](https://www.fema.gov/media-library/assets/documents/90195). In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Final Guidance must be followed, 2 CFR.200 Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards became effective 12/26/2014 for Federal awards that are issued post 12/26/2014. This regulation supersedes requirements from OMB Circulars A-21, A-87, A-110, and A-122 (which have been placed in 2 C.F.R. Parts 220, 225, 215, and 230); Circulars A-89, A-102, and A-133; and the guidance in Circular A-50 on Single Audit Act follow-up. See final guidance and OMB Policy Statements for more information.

- 2 CFR 180 OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)
- 2 CFR 215 (formerly A-110) Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations,
- 2 CFR 220 (formerly A-21) Cost Principles for Education Institutions,
- 2 CFR 225 (formerly A-87) Cost Principles for State, Local and Indian Tribal Governments,
- 2 CFR 230 (formerly A-122) Cost Principles for Non-Profit Organizations, and

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

This Agreement is also subject to the requirements of the State of Vermont grant and audit policies. The most pertinent bulletins and addendums are:

Bulletin 5, Single Audit Policy for Agreements

Bulletin 5 - Procedure #1

Bulletin 5 - Procedure #2

This agreement is subject to the requirements for the federal agency providing the funds. This agreement is subject to the following Code of Federal Regulation (CFR) and Grant Guidance: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title44/44cfr206_main_02.tpl