



**STATE OF VERMONT**  
JOINT FISCAL OFFICE

**MEMORANDUM**

To: Joint Fiscal Committee members  
From: Sorsha Anderson, Senior Staff Associate  
Date: July 24, 2024  
Subject: Grants – JFO #3208

Enclosed please find one (1) item, which the Joint Fiscal Office has received from the Administration. This grant is being held for the **July 30, 2024** Joint Fiscal Committee meeting.

**JFO #3208: \$2,310,137.00** to the Department of Public Safety from the Federal Emergency Management Agency (FEMA). The funds from the State and Local Cybersecurity Grant program will be used to strengthen security of the state and local governments' critical electronic infrastructure against cyber-attacks and improve the resilience of these services to the communities they serve. *[Received July 11, 2024]*

Please review the enclosed materials and notify the Joint Fiscal Office (Sorsha Anderson: sanderson@leg.state.vt.us) if you have questions ahead of the Joint Fiscal Committee meeting. A representative from the Department of Public Safety will be available for questions at the July 30, 2024 Joint Fiscal Committee meeting.



**State of Vermont**  
 Department of Finance & Management  
 109 State Street, Pavilion Building  
 Montpelier, VT 05620-0401

[phone] 802-828-2376  
 [fax] 802-828-2428

Agency of Administration

**STATE OF VERMONT  
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

**Grant Summary:** This grant is targeted at strengthening cybersecurity practices and resilience of state, local, and territorial (SLT) governments and is an important homeland security mission and is the primary focus of the State and Local Cybersecurity Grant Program. The SLCGP enables DHS to make targeted cybersecurity investments in SLT government agencies, thus improving the security of critical infrastructure and improving the resilience of the services SLT governments provide their community.

**Date:** 5/16/2024

**Department:** Public Safety - Vermont Emergency Management

**Legal Title of Grant:** State and Local Cybersecurity Grant Program (SLCGP)

**Federal Catalog #:** 97.137

**Grant/Donor Name and Address:** Federal Emergency Management Agency

**Grant Period:** **From:** 9/1/2022 **To:** 8/31/2026

**Grant/Donation:** \$2,310,137

	SFY 1	SFY 2	SFY 3	Total	Comments
<b>Grant Amount:</b>	\$231,014	\$1,270,576	\$808,547	\$2,310,137	

Position Information:	# Positions	Explanation/Comments
	0	

**Additional Comments:** Match requirement of \$256,682 has been waived. See attached SLCG Amendment A4 Cost Share Waiver Approval.

<b>Department of Finance &amp; Management</b>	Adam Greshin Digitally signed by Adam Greshin Date: 2024.05.21 08:30:27 -04'00'	(Initial)
<b>Secretary of Administration</b>	Sarah Clark Digitally signed by Sarah Clark Date: 2024.05.21 08:30:27 -04'00'	(Initial)
<b>Sent To Joint Fiscal Office</b>		<b>Date</b>

Jason Aronowitz  
 Digitally signed by Jason Aronowitz  
 Date: 2024.05.16 08:30:27 -04'00'





---

**State of Vermont**  
**Department of Public Safety**  
45 State Drive  
Waterbury, Vermont 05671-1300  
<http://dps.vermont.gov/>  
(802) 241-5000 (main)

December 28, 2023

To: Jason Aronowitz, Senior Budget & Management Analyst

From: Kaisa S. Lewia, Financial Administrator

Re: Request for Grant Acceptance

Please find attached request for Grant Acceptance (Form AA-1) for the State and Local Cyber Security Grant Program for EMW-2023-CY-00063, with supporting documentation.

Please note that the original Award has been amended with a waiver of the match.

If you have any questions, please feel free to contact me at [Kaisa.Lewia@vermont.gov](mailto:Kaisa.Lewia@vermont.gov).

Respectfully,

*Kaisa*

CC: Melissa Austin, Financial Manager  
Richard Hallenbeck, Director of Administration and Finance

## STATE OF VERMONT REQUEST FOR GRANT (\*) ACCEPTANCE (Form AA-1)

BASIC GRANT INFORMATION				
<b>1. Agency:</b>				
<b>2. Department:</b>		Public Safety		
<b>3. Program:</b>		Vermont Emergency Management		
<b>4. Legal Title of Grant:</b>		State and Local Cybersecurity Grant Program (SLCGP)		
<b>5. Federal Catalog #:</b>		97.137		
<b>6. Grant/Donor Name and Address:</b> Federal Emergency Management Agency				
<b>7. Grant Period:</b>		<b>From:</b>	9/1/2022	<b>To:</b> 8/31/2026
<b>8. Purpose of Grant:</b> This grant is targeted at strengthening cybersecurity practices and resilience of state, local, and territorial (SLT) governments and is an important homeland security mission and is the primary focus of the State and Local Cybersecurity Grant Program. The SLCGP enables DHS to make targeted cybersecurity investments in SLT government agencies, thus improving the security of critical infrastructure and improving the resilience of the services SLT governments provide their community.				
<b>9. Impact on existing program if grant is not Accepted:</b> The State and Communities would be left vulnerable and exposed to costly systemic cyber attacks.				
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
<b>Expenditures:</b>	FY 2024	FY 2025	FY 2026	
Personal Services	\$11,550	\$41,582	\$62,374	5% Mgmt & Admin
Operating Expenses	\$	\$	\$	
Grants	\$219,464	\$1,228,994	\$746,173	
<b>Total</b>	<b>\$231,014</b>	<b>\$1,270,576</b>	<b>\$808,547</b>	
<b>Revenues:</b>				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:	\$	\$	\$	
(Direct Costs)	\$231,014	\$1,270,576	\$808,547	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source )	\$	\$	\$	
<b>Total</b>	<b>\$231,014</b>	<b>\$1,270,576</b>	<b>\$808,547</b>	
<b>Appropriation No:</b>	2140030000		<b>Amount:</b>	\$231,014
				\$
				\$
				\$
				\$
				\$

## STATE OF VERMONT REQUEST FOR GRANT (\*) ACCEPTANCE (Form AA-1)

		<b>Total</b>	\$
			\$231,014

### PERSONAL SERVICE INFORMATION

**11. Will monies from this grant be used to fund one or more Personal Service Contracts?**  Yes  No  
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.  
 Appointing Authority Name: \_\_\_\_\_ Agreed by: \_\_\_\_\_ (initial)

12. Limited Service Position Information:	# Positions	Title
	0	
<b>Total Positions</b>	0	

**12a. Equipment and space for these positions:**  Is presently available.  Can be obtained with available funds.

### 13. AUTHORIZATION AGENCY/DEPARTMENT

I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):	Signature: <u>Daniel Batric</u> <small>DocuSigned by: 2B10FD0180DE453</small>	Date: 12/29/2023
	Title: DPS Commissioner/DPS Deputy Commissioner	
	Signature: _____	Date: _____
	Title: _____	

### 14. SECRETARY OF ADMINISTRATION

<input checked="" type="checkbox"/> Approved:	(Secretary or designee signature) <u>Sarah Clark</u> <small>DocuSigned by: 04AB932CD55C438</small>	Date: 5/24/2024   2:14
---	---	------------------------

### 15. ACTION BY GOVERNOR

<input checked="" type="checkbox"/>	Check One Box: Accepted		
<input type="checkbox"/>	Rejected	(Governor's signature)	Date: July 10, 2024

### 16. DOCUMENTATION REQUIRED

Required GRANT Documentation	
<input type="checkbox"/> Request Memo <input type="checkbox"/> Dept. project approval (if applicable) <input type="checkbox"/> Notice of Award <input type="checkbox"/> Grant Agreement <input type="checkbox"/> Grant Budget	<input type="checkbox"/> Notice of Donation (if any) <input type="checkbox"/> Grant (Project) Timeline (if applicable) <input type="checkbox"/> Request for Extension (if applicable) <input type="checkbox"/> Form AA-1PN attached (if applicable)

### End Form AA-1

(\*) The term "grant" refers to any grant, gift, loan, or any sum of money or thing of value to be accepted by any agency, department, commission, board, or other part of state government (see 32 V.S.A. §5).

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

Jennifer Morrison  
Vermont Department of Public Safety  
45 State Drive  
Waterbury, VT 05671 - 1300

Re: Grant No.EMW-2022-CY-00088

Dear Jennifer Morrison:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2022 State and Local Cybersecurity Grant Program has been approved in the amount of \$2,310,137.00. As a condition of this award, you are required to contribute a cost match in the amount of \$256,682.00 of non-Federal funds, or 10 percent of the total approved project costs of \$2,566,819.00.

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 2022 State and Local Cybersecurity Grant Program Notice of Funding Opportunity
- Information Bulletin 479: Updated Fiscal Year 2022 State and Local Cybersecurity Grant Program Allocation Amounts

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, Unique Entity Identifier (UEI) number, EIN and banking information. Please ensure that the UEI 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.

PAMELA SUSAN WILLIAMS

**Agreement Articles**

Thu Dec 01 00:00:00 GMT 2022

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

**AGREEMENT ARTICLES**  
**State and Local Cybersecurity Grant Program**

**GRANTEE:** Vermont Department of Public Safety  
**PROGRAM:** State and Local Cybersecurity Grant  
Program  
**AGREEMENT NUMBER:** EMW-2022-CY-00088-S01

**TABLE OF CONTENTS**

Article I	Summary Description of Award
Article II	SLCGP Performance Goal
Article III	OHS Standard Terms and Conditions Generally
Article IV	Assurances, Administrative Requirements, Cost Principles, Representations and Certifications
Article V	General Acknowledgements and Assurances
Article VI	Acknowledgement of Federal Funding from OHS
Article VII	Activities Conducted Abroad
Article VIII	Age Discrimination Act of 1975
Article IX	Americans with Disabilities Act of 1990
Article X	Best Practices for Collection and Use of Personally Identifiable Information
Article XI	Civil Rights Act of 1964 - Title VI
Article XII	Civil Rights Act of 1968
Article XIII	Copyright
Article XIV	Debarment and Suspension
Article XV	Drug-Free Workplace Regulations
Article XVI	Duplication of Benefits

Article XVII	Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX
Article XVIII	Energy Policy and Conservation Act
Article XIX	False Claims Act and Program Fraud Civil Remedies
Article XX	Federal Debt Status
Article XXI	Federal Leadership on Reducing Text Messaging while Driving
Article XXII	Fly America Act of 1974
Article <b>XXIII</b>	Hotel and Motel Fire Safety Act of 1990
Article <b>XXIV</b>	John S. McCain National Defense Authorization Act of Fiscal Year 2019
Article XXV	Limited English Proficiency (Civil Rights Act of 1964 - Title VI)
Article XXVI	Lobbying Prohibitions
Article XXVII	National Environmental Policy Act
Article XXVI11	Nondiscrimination in Matters Pertaining to Faith-Based Organizations
Article <b>XXIX</b>	Non-Supplanting Requirement
Article XXX	Notice of Funding Opportunity Requirements
Article <b>XXXI</b>	Patents and Intellectual Property Rights
Article <b>XXXII</b>	Procurement of Recovered Materials
Article XXXI11	Rehabilitation Act of 1973
Article <b>XXXIV</b>	Reporting of Matters Related to Recipient Integrity and Performance
Article <b>XXXV</b>	Reporting Subawards and Executive Compensation
Article <b>XXXVI</b>	Required Use of American Iron, Steel, Manufactured Products, and Construction Materials
Article <b>XXXVII</b>	SAFECOM
Article XXXVIII	Terrorist Financing



Article <b>XXXIX</b>	Trafficking Victims Protection Act of 2000 (TVPA)
Article XL	Universal Identifier and System of Award Management
Article XU	USA PATRIOT Act of 2001
Article XUI	Use of OHS Seal, Logo and Flags
Article XU II	Whistleblower Protection Act
Article XLIV	Environmental Planning and Historic Preservation (EHP) Review
Article XLV	Applicability of DHS Standard Terms and Conditions to Tribes
Article XLVI	Acceptance of Post Award Changes
Article XLVII	Disposition of Equipment Acquired Under the Federal Award
Article XLVIII	Prior Approval for Modification of Approved Budget
Article XLIX	Indirect Cost Rate
Article L	Cybersecurity Plan Pending Submission and Approval
Article LI	Committee Membership List Pending Submission or Approval

### **Article I - Summary Description of Award**

The purpose of the Fiscal Year 2022 State and Local Cybersecurity Grant Program (SLCGP) is to assist state, local, and territorial (SLT) governments with managing and reducing systemic cyber risk. Through funding from the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, the SLCGP enables DHS to make targeted cybersecurity investments in SLT government agencies, thus improving the security of critical infrastructure and improving the resilience of the services SLT governments provide their community. This SLCGP award provides funding in the amount of: \$2,310,137 for the state of Vermont. Of this amount, up to \$115,506 can be retained by the State Administrative Agency (SAA) for management and administrative expenses, and a total of \$256,682 is the required cost share.

The terms of the approved Investment Justification(s) and Budget Detail Worksheet(s) submitted by the recipient are incorporated into the terms of this Federal award, subject to the additional description and limitations stated in this Agreement Article and the limitations stated in subsequent reviews by FEMA and CISA of the award budget. Post-award documents uploaded into ND Grants for this award are also incorporated into the terms and conditions of this award, subject to any limitations stated in subsequent approvals by FEMA and CISA of changes to the award. Investments not listed in this Agreement Article are not approved for funding under this award.

### **Article II - SLCGP Performance Goal**

In addition to the Performance Progress Report (PPR) submission requirements due January 30, outlined in NOFO Appendix A-11, recipients must demonstrate how the grant-funded projects address the capability gaps identified in their Cybersecurity Plan or other relevant documentation or sustains existing capabilities per the CISA-approved Investment Justification. The capability gap reduction or capability sustainment must be addressed in the PPR, Section 10. Performance Narrative.

### **Article III - DHS Standard Terms and Conditions Generally**

The Fiscal Year (FY) 2022 OHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2022. These terms and conditions flow down to subrecipients unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations.

All legislation and digital resources are referenced with no digital links. The FY 2022 OHS Standard Terms and Conditions will be housed on dhs.gov at [www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions](http://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions).

#### **Article IV - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. OHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 4240 Assurances - Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the OHS financial assistance office (OHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the awarding agency.

II. OHS 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 OHS at 2 C.F.R. Part 3002.

III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. section 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

#### **Article V - General Acknowledgements and Assurances**

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

I. Recipients must cooperate with any OHS compliance reviews or compliance investigations conducted by OHS.

II. Recipients must give OHS access 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 or personnel.

III. Recipients must submit timely, complete, and accurate reports to the appropriate OHS officials and maintain appropriate backup documentation to support the reports.

IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance.

V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from OHS or one of its awarding component agencies must complete the OHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of OHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov). This tool clarifies the civil rights obligations and related reporting requirements contained in the OHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to OHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

The OHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

#### **Article VI - 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 VII - Activities Conducted Abroad**

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

### **Article VIII -Age Discrimination Act of 1975**

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 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 IX -Americans with Disabilities Act of 1990**

Recipients must comply with the requirements of Titles I, 11, and III of the Americans with Disabilities Act, Pub. L. 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 X - Best Practices for Collection and Use of Personally Identifiable Information**

Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. OHS defines 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 OHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

### **Article XI - 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 XII - Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 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 XIII - 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 XIV - 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 3002. 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 XV - 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 XVI - 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 XVII - 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. 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. OHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

#### **Article XVIII - Energy Policy and Conservation Act**

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 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 XIX - 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 prohibit 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 XX - 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 XXI - 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 XXII - 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.) 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 XXIII - Hotel and Motel Fire Safety Act of 1990**

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 Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a.

#### **Article XXIV - John S. McCain National Defense Authorization Act of Fiscal Year 2019**

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

#### **Article XXV - Limited English Proficiency (Civil Rights Act of 1964 - Title VI)**

Recipients must comply with 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 OHS 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 XXVI - 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 XXVII - National Environmental Policy Act**

Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require 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 XXVIII - Nondiscrimination in Matters Pertaining to Faith-Based Organizations**

It is OHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by OHS 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 OHS programs.

#### **Article XXIX - 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 XXX - Notice of Funding Opportunity Requirements**

All 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 XXXI - Patents and Intellectual Property Rights**

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq, unless otherwise provided by law. 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 XXXII - 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. 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 XXXIII - Rehabilitation Act of 1973**

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 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 XXXIV - Reporting of Matters Related to Recipient Integrity and Performance**

### General Reporting Requirements:

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 XXXV - Reporting Subawards and Executive Compensation**

### Reporting of first tier subawards:

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 XXXVI - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**

Recipients and subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act Sections 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See *also* Office of Management and Budget (OMB), Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

Recipients and subrecipients of federal financial assistance programs for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- (2) all manufactured products used in the project are produced in the United States--this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- (3) all construction materials are manufactured in the United States--this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

### *Waivers*

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements.

- (a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:
- (1) applying the domestic content procurement preference would be inconsistent with the public interest;
  - (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
  - (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the OMB Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described. For awards by the Federal Emergency Management Agency (FEMA), existing waivers are available and the waiver process is described at "[Buy America](#)" Preference in FEMA Financial Assistance Programs for Infrastructure | [FEMA.gov](#). For awards by other OHS components, please contact the applicable OHS FAO.

To see whether a particular OHS federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please either contact the applicable OHS FAO, or for FEMA awards, please see [Programs and Definitions: Build America, Buy America Act](#) | [FEMA.gov](#).

#### **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 (TVPA)**

Trafficking in Persons:

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 of Award Management**

Requirements for System for Award Management and Unique Entity Identifier 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 XU - 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 OHS FAO prior to using the OHS seal(s), logos, crests or reproductions of flags or likenesses of OHS 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 (EHP) Review**

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

DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by OHS/ 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. In order to initiate EHP review of your project(s), you must submit a detailed project description along with

supporting documentation. The **EHP** review process must be completed before funds are released to carry out the proposed project; otherwise, OHS/FEMA may not be able to fund the project due to noncompliance with **EHP** laws, executive orders, regulations, and policies.

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

#### **Article XLV -Applicability of DHS Standard Terms and Conditions to Tribes**

The OHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, OHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

#### **Article XLVI -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/GMO Call Center at (866) 927-5646 or via e-mail to [ASK-GMO@fema.dhs.gov](mailto:ASK-GMO@fema.dhs.gov) if you have any questions.

#### **Article XLVII - Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state subrecipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state subrecipients must follow the disposition requirements in accordance with state laws and procedures.

#### **Article XLVIII - Prior Approval for Modification of Approved Budget**

Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308.

For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) 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 FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved.

For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work.

You must report any deviations from your 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 XLIX - Indirect Cost Rate**

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

#### **Article L - Cybersecurity Plan Pending Submission and Approval**

FEMA has placed a funding hold on \$2,310,137 in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down these funds.



To release this hold, the recipient is required to submit a Cybersecurity Plan for approval by CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) to receive further guidance on the steps required for Cybersecurity Plan approval.

If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPO Headquarters Preparedness Officer, Essence Cleveland at [Essence.Cleveland@fema.dhs.gov](mailto:Essence.Cleveland@fema.dhs.gov).

**Article LI - Committee Membership List Pending Submission or Approval**

FEMA has placed a funding hold on this award, and the amount of \$2,310,137 is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down funds until the Committee Membership List is submitted and approved.

To release this hold, the recipient is required to submit the Committee Membership List, and receive approval of the Membership List from CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) to receive further guidance on the steps required to release this hold.

If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPO Headquarters Preparedness Officer, Essence Cleveland at [Essence.Cleveland@fema.dhs.gov](mailto:Essence.Cleveland@fema.dhs.gov).

**BUDGET COST CATEGORIES**

Personnel	\$0.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$0.00
Supplies	\$0.00
Contractual	\$2,566,819.00
Construction	\$0.00
Indirect Charges	\$0.00
Other	\$0.00

**Obligating Document for Award/Amendment**

1a. AGREEMENT NO. EMW-2022-CY-00088-S01	2. AMENDMENT NO. ***	3. RECIPIENT NO. 036000274	4. TYPE OF ACTION AWARD	5. CONTROL NO. WX00743N2023T
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 Christian Pedoty	PHONE NO. 8027600792	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 12/27/2022	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT Cost Reimbursement	14. PERFORMANCE PERIOD  <b>From:</b> 12/01/2022 <b>To:</b> 11/30/2026 <b>Budget Period</b> 12/01/2022 11/30/2026	

**I 5. DESCRIPTION OF ACTION**

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

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION +OR(-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
State and Local Cybersecurity Grant Program	97.137	2023-IF-PAI I-P410- 4101-D	\$0.00	\$2,310,137.00	\$2,310,137.00	See Totals
			<b>\$0.00</b>	<b>\$2,310,137.00</b>	<b>\$2,310,137.00</b>	\$256,682.00

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

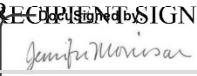
N/A

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)

State and Local Cybersecurity 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)  commissioner	DATE 1/24/2023
18. FEMA SIGNATORY OFFICIAL (Name and Title) PAMELA SUSAN WILLIAMS,	DATE Tue Dec 27 01:05:57 GMT 2022

**U.S. Department of Homeland Security  
Washington, D.C. 20472  
GRANT AMENDMENT LETTER**

Vermont Department of Public Safety  
Christian Pedoty  
45 State Drive  
Waterbury, VT 05671 - 1300  
Re: Amendment #: EMW-2022-CY-00088-A02

Dear Christian Pedoty,

The amendment to change the award information for Fiscal Year (FY) 2022 State and Local Cybersecurity Grant Program (Award #: EMW-2022-CY-00088-S01) has been approved on 08/18/2023. The changes to the award information are listed below.

**Terms and Conditions Change:**

The following Term and Condition has been added to your award:  
REVISED Cybersecurity Plan Pending Submission and Approval

FEMA has placed a funding hold on **\$1,155,068** in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down these funds. To release this hold, the recipient is required to submit a Cybersecurity Plan for approval by CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@FEMA-DHS.gov](mailto:FEMA-SLCGP@FEMA-DHS.gov) to receive further guidance on the steps required for Cybersecurity Plan approval. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

The following Term and Condition has been added to your award:  
REVISED Membership List Pending Submission and Approval

FEMA has placed a funding hold on this award, and the amount of **\$1,155,069** is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down funds until the Committee Membership List is submitted and approved. To release this hold, the recipient is required to submit the Committee Membership List, and receive approval of the Membership List from CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@fema.dhs.gov](mailto:FEMA-SLCGP@fema.dhs.gov) to receive further guidance on the steps required to release this hold. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

The following Term and Condition has been removed from your award:  
Cybersecurity Plan Pending Submission and Approval

FEMA has placed a funding hold on \$2,310,137 in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down these funds.

To release this hold, the recipient is required to submit a Cybersecurity Plan for approval by CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) to receive further guidance on the steps required for Cybersecurity Plan approval.

If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer, Essence Cleveland at [Essence.Cleveland@fema.dhs.gov](mailto:Essence.Cleveland@fema.dhs.gov).

The following Term and Condition has been removed from your award:

Committee Membership List Pending Submission or Approval

FEMA has placed a funding hold on this award, and the amount of \$2,310,137 is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down funds until the Committee Membership List is submitted and approved.

To release this hold, the recipient is required to submit the Committee Membership List, and receive approval of the Membership List from CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) to receive further guidance on the steps required to release this hold.

If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer, Essence Cleveland at [Essence.Cleveland@fema.dhs.gov](mailto:Essence.Cleveland@fema.dhs.gov).

The award information contained in this amendment supersedes award information listed in previous award packages and amendments. If you have any questions or concerns regarding your grant funds, please call 1-866-927-5646.

SHENAUZ SUBRINA WONG  
Assistance Officer

## Amendment Agreement Articles

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

**AGREEMENT ARTICLES**  
**State and Local Cybersecurity Grant Program**

**GRANTEE:** Vermont Department of Public Safety

**ORGANIZATION EIN:** 036000264

**ORGANIZATION DUNS:** 809376692

**ORGANIZATION UEI:** LALMDNWSYKT1

**ORGANIZATION TYPE:** State governments

**ORGANIZATION CONGRESSIONAL DISTRICT CODE:** VT-00

**ORGANIZATION PHYSICAL ADDRESS:** 45 State Drive  
Waterbury, VT 05671 - 1300

**ORGANIZATION MAILING ADDRESS:** 45 State Drive  
Waterbury, VT -

**PROGRAM:** State and Local Cybersecurity Grant Program

**SOLICITATION NAME:** Fiscal Year (FY) 2022 State and Local Cybersecurity Grant Program

**SOLICITATION YEAR:** 2022

**SOLICITATION DESCRIPTION:** A Cybersecurity Plan of an eligible entity shall --\r\n(A) incorporate, to the extent practicable --\r\n\r\n(i) any existing plans of the eligible entity to protect against cybersecurity risks and cybersecurity threats to information systems owned or operated by, or on behalf of, State, local, or Tribal governments; and\r\n\r\n(ii) if the eligible entity is a State, consultation and feedback from local governments and associations of local governments within the jurisdiction of the eligible entity;\r\n(B) describe, to the extent practicable, how the eligible entity will --\r\n\r\n(i) manage, monitor, and track information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, and the information technology deployed on those information systems, including legacy information systems and information technology that are no longer supported by the manufacturer of the systems or technology;\r\n\r\n(ii) monitor, audit, and, track network traffic and activity transiting or traveling to or from information systems, applications, and user accounts owned or operated by, or on behalf of, the

eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity;\r\n\r\n(iii) enhance the preparation, response, and resiliency of information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, against cybersecurity risks and cybersecurity threats;\r\n\r\n(iv) implement a process of continuous cybersecurity vulnerability assessments and threat mitigation practices prioritized by degree of risk to address cybersecurity risks and cybersecurity threats on information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity;\r\n\r\n(v) ensure that the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, adopt and use best practices and methodologies to enhance cybersecurity, such as --\r\n\r\n(I) the practices set forth in the cybersecurity framework developed by the National Institute of Standards and Technology;\r\n\r\n(II) cyber chain supply chain risk management best practices identified by the National Institute of Standards and Technology; and\r\n\r\n(III) knowledge bases of adversary tools and tactics;\r\n\r\n(vi) promote the delivery of safe, recognizable, and trustworthy online services by the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, including through the use of the .gov internet domain;\r\n\r\n(vii) ensure continuity of operations of the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, in the event of a cybersecurity incident, including by conducting exercises to practice responding to a cybersecurity incident;\r\n\r\n(viii) use the National Initiative for Cybersecurity Education Workforce Framework for Cybersecurity developed by the National Institute of Standards and Technology to identify and mitigate any gaps in the cybersecurity workforces of the eligible entity and, if the eligible entity is a State, local governments within the

jurisdiction of the eligible entity, enhance recruitment and retention efforts for those workforces, and bolster the knowledge, skills, and abilities of personnel of the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, to address cybersecurity risks and cybersecurity threats, such as through cybersecurity hygiene training; \\\n` (ix) if the eligible entity is a State, ensure continuity of communications and data networks within the jurisdiction of the eligible entity between the eligible entity and local governments within the jurisdiction of the eligible entity in the event of an incident involving those communications or data networks; \\\n` (x) assess and mitigate, to the greatest degree possible, cybersecurity risks and cybersecurity threats relating to critical infrastructure and key resources, the degradation of which may impact the performance of information systems within the jurisdiction of the eligible entity; \\\n` (xi) enhance capabilities to share cyber threat indicators and related information between the eligible entity and -- \\\n` (I) if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, including by expanding information sharing agreements with the Department; and \\\n` (II) the Department; \\\n` (xii) leverage cybersecurity services offered by the Department; \\\n` (xiii) implement an information technology and operational technology modernization cybersecurity review process that ensures alignment between information technology and operational technology cybersecurity objectives; \\\n` (xiv) develop and coordinate strategies to address cybersecurity risks and cybersecurity threats in consultation with -- \\\n` (I) if the eligible entity is a State, local governments and associations of local governments within the jurisdiction of the eligible entity; and \\\n` (II) as applicable -- \\\n` (aa) eligible entities that neighbor the jurisdiction of the eligible entity or, as appropriate, members of an information sharing and analysis organization; and \\\n` (bb) countries that neighbor the jurisdiction of the eligible entity; \\\n` (xv) ensure adequate access to, and participation in, the services and programs described in this subparagraph by rural areas within the

jurisdiction of the eligible entity; and  
(xvi) distribute funds, items, services, capabilities, or activities to local governments under subsection (n)(2)(A), including the fraction of that distribution the eligible entity plans to distribute to rural areas under subsection (n)(2)(B); (C) assess the capabilities of the eligible entity relating to the actions described in subparagraph (B); (D) describe, as appropriate and to the extent practicable, the individual responsibilities of the eligible entity and local governments within the jurisdiction of the eligible entity in implementing the plan; (E) outline, to the extent practicable, the necessary resources and a timeline for implementing the plan; and (F) describe the metrics the eligible entity will use to measure progress towards –  
(i) implementing the plan; and  
(ii) reducing cybersecurity risks to, and identifying, responding to, and recovering from cybersecurity threats to, information systems owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity.

**AMENDMENT NUMBER:**

EMW-2022-CY-00088-A02

**Name of the AO who signed the amendment**

SHENAUZ

WONG

**TABLE OF CONTENTS**

Article I - Summary Description of Award

Article II - SLCGP Performance Goal

Article III - DHS Standard Terms and Conditions Generally

Article IV - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

Article V - General Acknowledgements and Assurances

Article VI - Acknowledgement of Federal Funding from DHS

Article VII - Activities Conducted Abroad

Article VIII - Age Discrimination Act of 1975



Article IX - Americans with Disabilities Act of 1990

Article X - Best Practices for Collection and Use of Personally Identifiable Information

Article XI - Civil Rights Act of 1964 - Title VI

Article XII - Civil Rights Act of 1968

Article XIII - Copyright

Article XIV - Debarment and Suspension

Article XV - Drug-Free Workplace Regulations

Article XVI - Duplication of Benefits

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

Article XVIII - Energy Policy and Conservation Act

Article XIX - False Claims Act and Program Fraud Civil Remedies

Article XX - Federal Debt Status

Article XXI - Federal Leadership on Reducing Text Messaging while Driving

Article XXII - Fly America Act of 1974

Article XXIII - Hotel and Motel Fire Safety Act of 1990

Article XXIV - John S. McCain National Defense Authorization Act of Fiscal Year 2019

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

Article XXVI - Lobbying Prohibitions

Article XXVII - National Environmental Policy Act

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

Article XXIX - Non-Supplanting Requirement

Article XXX - Notice of Funding Opportunity Requirements

Article XXXI - Patents and Intellectual Property Rights

Article XXXII - Procurement of Recovered Materials

Article XXXIII - Rehabilitation Act of 1973

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

Article XXXV - Reporting Subawards and Executive Compensation

Article XXXVI - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Article XXXVII - SAFECOM

Article XXXVIII - Terrorist Financing

Article XXXIX - Trafficking Victims Protection Act of 2000 (TVPA)

Article XL - Universal Identifier and System of Award Management

Article XLI - USA PATRIOT Act of 2001

Article XLII - Use of DHS Seal, Logo and Flags

Article XLIII - Whistleblower Protection Act

Article XLIV - Environmental Planning and Historic Preservation (EHP) Review

Article XLV - Applicability of DHS Standard Terms and Conditions to Tribes

Article XLVI - Acceptance of Post Award Changes

Article XLVII - Disposition of Equipment Acquired Under the Federal Award

Article XLVIII - Prior Approval for Modification of Approved Budget

Article XLIX - Indirect Cost Rate

Article L - REVISED Cybersecurity Plan Pending Submission and Approval

Article LI - REVISED Membership List Pending Submission and Approval

## **Article I - Summary Description of Award**

The purpose of the Fiscal Year 2022 State and Local Cybersecurity Grant Program (SLCGP) is to assist state, local, and territorial (SLT) governments with managing and reducing systemic cyber risk. Through funding from the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, the SLCGP enables DHS to make targeted cybersecurity investments in SLT government agencies, thus improving the security of critical infrastructure and improving the resilience of the services SLT governments provide their community. This SLCGP award provides funding in the amount of: \$2,310,137 for the state of Vermont. Of this amount, up to \$115,506 can be retained by the State Administrative Agency (SAA) for management and administrative expenses, and a total of \$256,682 is the required cost share.

The terms of the approved Investment Justification(s) and Budget Detail Worksheet(s) submitted by the recipient are incorporated into the terms of this Federal award, subject to the additional description and limitations stated in this Agreement Article and the limitations stated in subsequent reviews by FEMA and CISA of the award budget. Post-award documents

uploaded into ND Grants for this award are also incorporated into the terms and conditions of this award, subject to any limitations stated in subsequent approvals by FEMA and CISA of changes to the award. Investments not listed in this Agreement Article are not approved for funding under this award.

## **Article II - SLCGP Performance Goal**

In addition to the Performance Progress Report (PPR) submission requirements due January 30, outlined in NOFO Appendix A-11, recipients must demonstrate how the grant-funded projects address the capability gaps identified in their Cybersecurity Plan or other relevant documentation or sustains existing capabilities per the CISA-approved Investment Justification. The capability gap reduction or capability sustainment must be addressed in the PPR, Section 10. Performance Narrative.

## **Article III - DHS Standard Terms and Conditions Generally**

The Fiscal Year (FY) 2022 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2022. These terms and conditions flow down to subrecipients unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations.

All legislation and digital resources are referenced with no digital links. The FY 2022 DHS Standard Terms and Conditions will be housed on dhs.gov at [www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions](http://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions).

## **Article IV - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. 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 as instructed by the awarding agency.

II. 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.

III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. section 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

## **Article V - General 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.

I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS.

II. Recipients must give DHS access 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 or personnel.

III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.

IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance.

V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto: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>.

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

#### **Article VI - 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 VII - Activities Conducted Abroad**

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

#### **Article VIII - Age Discrimination Act of 1975**

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 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 IX - 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. 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 X - Best Practices for Collection and Use of Personally Identifiable Information**

Recipients who collect personally identifiable information (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 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 XI - 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 XII - Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 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 XIII - 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 XIV - 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 3002. 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 XV - 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 XVI - 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 XVII - 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. 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 XVIII - Energy Policy and Conservation Act**

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 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 XIX - 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 prohibit 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 XX - 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 XXI - 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 XXII - 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.) 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 XXIII - Hotel and Motel Fire Safety Act of 1990**

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 Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a.

#### **Article XXIV - John S. McCain National Defense Authorization Act of Fiscal Year 2019**

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

#### **Article XXV - Limited English Proficiency (Civil Rights Act of 1964 - Title VI)**

Recipients must comply with 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 XXVI - 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 XXVII - National Environmental Policy Act**

Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require 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 XXVIII - 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 XXIX - 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 XXX - Notice of Funding Opportunity Requirements**

All 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 XXXI - Patents and Intellectual Property Rights**

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq, unless otherwise provided by law. 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 XXXII - 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. 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 XXXIII - Rehabilitation Act of 1973**

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 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 XXXIV - Reporting of Matters Related to Recipient Integrity and Performance**

General Reporting Requirements:

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 XXXV - Reporting Subawards and Executive Compensation**

Reporting of first tier subawards:

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 XXXVI - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**

Recipients and subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act Sections 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. *See also* Office of Management and Budget (OMB), Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

Recipients and subrecipients of federal financial assistance programs for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- (2) all manufactured products used in the project are produced in the United States--this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- (3) all construction materials are manufactured in the United States--this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

*Waivers*

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements.

(a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:

- (1) applying the domestic content procurement preference would be inconsistent with the public interest;
- (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
- (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the OMB Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described. For awards by the Federal Emergency Management Agency (FEMA), existing waivers are available and the waiver process is described at ["Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov](#). For awards by other DHS components, please contact the applicable DHS FAO.

To see whether a particular DHS federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please either contact the applicable DHS FAO, or for FEMA awards, please see [Programs and Definitions: Build America, Buy America Act | FEMA.gov](#).

#### **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 (TVPA)**

Trafficking in Persons:

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 of Award Management**

Requirements for System for Award Management and Unique Entity Identifier 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 (EHP) Review**

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

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. In order to initiate EHP review of your project(s), you must submit a detailed project description along with supporting documentation. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies.

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

#### **Article XLV - Applicability of DHS Standard Terms and Conditions to Tribes**

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

#### **Article XLVI - 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@fema.dhs.gov](mailto:ASK-GMD@fema.dhs.gov) if you have any questions.

#### **Article XLVII - Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state subrecipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state subrecipients must follow the disposition requirements in accordance with state laws and procedures.

#### **Article XLVIII - Prior Approval for Modification of Approved Budget**

Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308.

For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) 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 FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved.

For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work.

You must report any deviations from your 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 XLIX - Indirect Cost Rate**

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

**Article L - REVISED Cybersecurity Plan Pending Submission and Approval**

FEMA has placed a funding hold on **\$1,155,068** in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down these funds. To release this hold, the recipient is required to submit a Cybersecurity Plan for approval by CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@FEMA-DHS.gov](mailto:FEMA-SLCGP@FEMA-DHS.gov) to receive further guidance on the steps required for Cybersecurity Plan approval. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

**Article LI - REVISED Membership List Pending Submission and Approval**

FEMA has placed a funding hold on this award, and the amount of **\$1,155,069** is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down funds until the Committee Membership List is submitted and approved. To release this hold, the recipient is required to submit the Committee Membership List, and receive approval of the Membership List from CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@fema.dhs.gov](mailto:FEMA-SLCGP@fema.dhs.gov) to receive further guidance on the steps required to release this hold. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

**Obligating Document for Amendment**

1a. AGREEMENT NO. EMW-2022-CY-00088-S01	2. AMENDMENT NO. EMW-2022-CY-00088-A02	3. RECIPIENT NO. 036000264	4. TYPE OF ACTION AMENDMENT	5. CONTROL NO. WX00743N2023T
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 Christian Pedoty	PHONE NO. 8027600792	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 08/18/2023	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT Cost Reimbursement	14. PERFORMANCE PERIOD  <b>From:</b> 12/01/2022 <b>To:</b> 11/30/2026 <b>Budget Period</b> 12/01/2022 11/30/2026	

## 15. DESCRIPTION OF ACTION

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

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
State and Local Cybersecurity Grant Program	97.137	2023-IF-PA11-P410- -4101-D	\$2,310,137.00	\$0.00	\$2,310,137.00	See Totals
<b>TOTALS</b>			<b>\$2,310,137.00</b>	<b>\$0.00</b>	<b>\$2,310,137.00</b>	<b>\$256,682.00</b>

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)

State and Local Cybersecurity 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 OR DESIGNEE (at the time of the Award) (Name and Title) Morrison, Jennifer Commissioner	SIGNATURE DATE 01/24/2023 15:18
18. FEMA SIGNATORY OFFICIAL (Name and Title) SHENAUZ SUBRINA WONG, Assistance Officer	DATE Fri Aug 18 18:24:00 GMT 2023

**Application for Federal Assistance SF-424****\* 1. Type of Submission:**

- Preapplication  
 Application  
 Changed/Corrected Application

**\* 2. Type of Application:**

- New  
 Continuation  
 Revision

\* If Revision, select appropriate letter(s):

\* Other (Specify):

\* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

**State Use Only:**

6. Date Received by State:

7. State Application Identifier:

**8. APPLICANT INFORMATION:**

\* a. Legal Name:

\* b. Employer/Taxpayer Identification Number (EIN/TIN):

\* c. Organizational DUNS:

**d. Address:**

\* Street1:

Street2:

\* City:

County/Parish:

\* State:

Province:

\* Country:

\* Zip / Postal Code:

**e. Organizational Unit:**

Department Name:

Division Name:

**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix:

\* First Name:

Middle Name:

\* Last Name:

Suffix:

Title:

Organizational Affiliation:

\* Telephone Number:

Fax Number:

\* Email:

**Application for Federal Assistance SF-424**

**\* 9. Type of Applicant 1: Select Applicant Type:**

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

Vermont Department of Homeland Security - FEMA

**11. Catalog of Federal Domestic Assistance Number:**

97.137

CFDA Title:

Fiscal Year 2022 State and Local Cybersecurity Grant Program (SLCGP)

**\* 12. Funding Opportunity Number:**

DHS-22-GPD-137-00-01

\* Title:

Fiscal Year 2022 State and Local Cybersecurity Grant Program (SLCGP)

**13. Competition Identification Number:**

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

**\* 15. Descriptive Title of Applicant's Project:**

VT DPS FY22 SLCGP Amendment

Attach supporting documents as specified in agency instructions.

**Application for Federal Assistance SF-424****16. Congressional Districts Of:**

\* a. Applicant

AL

\* b. Program/Project

AL

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**

\* a. Start Date:

09/01/2022

\* b. End Date:

08/31/2026

**18. Estimated Funding (\$):**

* a. Federal	2,310,137.00
* b. Applicant	0.00
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	2,310,137.00

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?** a. This application was made available to the State under the Executive Order 12372 Process for review on  b. Program is subject to E.O. 12372 but has not been selected by the State for review. c. Program is not covered by E.O. 12372.**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)** Yes No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

 \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:

\* First Name:

Jennifer

Middle Name:

\* Last Name:

Morrisson

Suffix:

\* Title:

Commissioner

\* Telephone Number:

802-241-5200

Fax Number:

\* Email:

dps.grantnotification@vermont.gov

\* Signature of Authorized Representative:

DocuSigned by:



\* Date Signed:

8/31/2023

# STATE OF VERMONT CYBERSECURITY PLAN



January 2023

Approved by SLCGP Cybersecurity Planning Committee on September 22, 2023  
Final Version

*THIS PAGE INTENTIONALLY LEFT BLANK*



# TABLE OF CONTENTS

<b>Letter from [cybersecurity planning committee]</b> .....	<b>1</b>
<b>Executive Summary</b> .....	<b>2</b>
<b>Background and context</b> .....	<b>2</b>
<b>introduction</b> .....	<b>3</b>
Vision and Mission .....	6
Cybersecurity Program Goals and Objectives .....	6
<b>Cybersecurity Plan Elements</b> .....	<b>6</b>
Manage, Monitor, and Track .....	7
Monitor, Audit, and Track .....	7
Enhance Preparedness .....	7
Assessment and Mitigation.....	7
Best Practices and Methodologies .....	7
Safe Online Services.....	7
Continuity of Operations.....	8
Workforce .....	8
Continuity of Communications and Data Networks.....	8
Assess and Mitigate Cybersecurity Risks and Threats to Critical Infrastructure and Key Resources.....	8
Cyber Threat Indicator Information Sharing.....	8
Leverage CISA Services .....	9
Information Technology and Operational Technology Modernization Review .....	9
Cybersecurity Risk and Threat Strategies .....	9
Rural Communities .....	9
<b>Funding &amp; Services</b> .....	<b>9</b>
Distribution to Local Governments .....	10
<b>Assess Capabilities</b> .....	<b>10</b>
<b>Implementation Plan</b> .....	<b>10</b>
Organization, Roles and Responsibilities .....	10
Resource Overview and Timeline Summary.....	11
<b>Metrics</b> .....	<b>12</b>
<b>Appendix A: SAMPLE Cybersecurity Plan Capabilities Assessment</b> .....	<b>13</b>
<b>Appendix B: Project Summary Worksheet</b> .....	<b>16</b>
<b>Appendix C: Entity Metrics</b> .....	<b>16</b>

---

**Appendix D: Acronyms .....17**

## LETTER FROM CYBERSECURITY PLANNING COMMITTEE

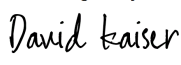
Greetings,

The Cybersecurity Planning committee for the State of Vermont, Department of Public Safety (DPS) is pleased to present to you the State and Local Cybersecurity Grant Program FY2022 Cybersecurity Plan. The Cybersecurity Plan represents the State of Vermont's continued commitment to improving cybersecurity and supporting our State, as well as cybersecurity practitioners across our local jurisdictions. In addition, this update meets the requirement of the current U.S. Department of Homeland Security guidelines for the State and Local Cybersecurity Grant Program (SLCGP).

Representatives from the Department of Public Safety and the Agency of Digital Services (ADS) collaborated with local municipalities, state agencies, and the private sector across multiple sectors including education, government, healthcare, and public safety to develop and update the Cybersecurity Plan with actionable and measurable goals and objectives that have champions identified to ensure completion. These goals and objectives focus on enhancing cybersecurity awareness, increasing cybersecurity protections, and enhancing the ability to respond to cybersecurity incidents. They are designed to support our state in planning for new technologies and navigating the ever-changing cybersecurity landscape. They also incorporate the SLCGP required plan elements.

As we continue to enhance cybersecurity, we must remain dedicated to improving our resilience within disciplines and across jurisdictional boundaries. With help from cybersecurity practitioners, we will work to achieve the goals set forth in the Cybersecurity Plan and become a model for cyber resilience.

Sincerely,

DocuSigned by:  
  
49AF0B3D0CF84F4...

9/22/2023

David Kaiser, Acting Chief Information Security Officer  
State of Vermont  
Agency of Digital Services

DocuSigned by:  
  
6F59BECD42D84F2...

9/22/2023

Jennifer Morrison, Homeland Security Advisor/Commissioner of Public Safety  
State of Vermont  
Department of Public Safety

## EXECUTIVE SUMMARY



This Cybersecurity Strategy highlights the purpose and scope of the strategic plan, which aims to address the increasing cybersecurity challenges faced by the State of Vermont and local governments. The plan is guided by the vision, mission, and strategic guidance provided by the Cybersecurity Planning Committee. It focuses on managing and monitoring information systems, enhancing cybersecurity preparedness and resilience, adopting best practices, promoting safe online services, ensuring continuity of operations, and strengthening the cybersecurity workforce. The strategy emphasizes collaboration between various stakeholders, including public and private entities, neighboring states, and countries. Implementation and governance of the plan will be monitored by the Cybersecurity Planning Committee, ensuring continuous improvement and adaptation to the ever-evolving cybersecurity landscape. This strategy demonstrates a strong commitment to protect state and local governments' information systems, applications, and user accounts from cybersecurity risks and threats.

## BACKGROUND AND CONTEXT

- A. The current cybersecurity landscape is characterized by rapidly evolving threats, increasingly sophisticated cybercriminals, and a growing reliance on digital technology. As a result, state and local governments face constant challenges in safeguarding their information systems and critical infrastructure.
- B. Key challenges and trends in cybersecurity include the rise of ransomware attacks, insider threats, supply chain vulnerabilities, and the increasing use of artificial intelligence in cyber-attacks. These challenges highlight the need for a robust and comprehensive cybersecurity strategy.
- C. A comprehensive cybersecurity strategy is crucial for protecting sensitive information, maintaining public trust, and ensuring the continuity of government services. It helps address the dynamic nature of cyber threats and establishes a proactive approach to risk management.

## INTRODUCTION

The Cybersecurity Plan is a two-year strategic planning document that contains the following components:

**Vision and Mission:** To improve Vermont's cybersecurity and ensure a cyber secure and resilient Vermont that supports public safety, protects privacy, and fosters economic growth.

### **Organization, and Roles and Responsibilities:**

#### ***State and Local Government in Vermont:***

- Focus State government agencies on cyber prevention, protection, response and recovery.
- Establish a risk management framework to apply resources that are informed by an assessment of cybersecurity vulnerabilities and cybersecurity threats.
- Identify state and local cybersecurity gaps and develop mitigation strategies.
- Support continuing efforts relating to cybercrime interdiction and disruption as it affects Vermont by partnering with local, federal, and other state entities.
- Enhance the State's cyber threat intelligence network to support continued situational awareness and information-sharing for state, local, and private sector stakeholders in Vermont.
- Develop a cyber-awareness campaign to educate state and local government, the private sector businesses, and the citizens of Vermont.
- Build a cybersecurity education pipeline through increasing STEM programs in the K-12 educational system and providing support for K-12 cyber-focused extracurricular activities.
- Establish partnerships with Vermont's higher education community in creating certificate programs for cybersecurity education programs.
- Build marketing and economic development strategies to attract citizens into a cybersecurity workforce in support of Vermont government and industry.
- Develop a business plan for exporting these skills to other jurisdictions through telecommuting opportunities.

#### ***Critical Infrastructure Stakeholders in Vermont:***

- Engage critical infrastructure owners and operators in cybersecurity strategies to enable continuity of operations and resource sharing.
- Foster continuous response and recovery improvement through state, local, and critical infrastructure exercises focusing on cyber incident consequence management capabilities.

#### ***Private Sector in Vermont:***

- Initiate outreach programs to develop partnerships with Vermont businesses.
- Identify business cybersecurity needs and opportunities to share best practices.
- Coordinate prevention, response planning, information sharing and resiliency initiatives.
- Engage the private sector to develop solutions to risk management resource challenges.

- Develop strategies to increase cybersecurity business opportunities in Vermont.
- Engage private sector partners in continued cybersecurity emergency exercises and improvement planning.

***Citizens of Vermont:***

- Initiate outreach programs to educate Vermont citizens on cybersecurity protection principles and resiliency, cybersecurity awareness and best practices.

***Funding:***

- Growing complexity and reach of cyberattacks and events leave everyone vulnerable and as such the public and private sector must commit to fully growing and bolstering cyber defenses.
- The State of Vermont will utilize federal funding from the Department of Homeland Security State and Local Cybersecurity Grant Program and the Homeland Security Grant Program to support local and state jurisdictions in strengthening cyber defenses. In addition, other federal grant programs through the Department of Homeland Security passed through the Vermont Department of Public Safety will offer opportunities for nonprofit entities to enhance their cybersecurity postures.

***Metrics:***

- The State of Vermont will measure the implementation of this plan through several metrics outlined in **Appendix C**. These metrics will be tracked through collection of data by the Cybersecurity Planning Committee.

The National Institute of Standards and Technology (NIST) Cybersecurity Framework (CSF)<sup>1</sup>, included in Figure 1, helps guide key decision points about risk management activities through various levels of an organization from senior executives to business and process level, as well as implementation and operations.

---

<sup>1</sup> <https://www.nist.gov/cyberframework/getting-started>

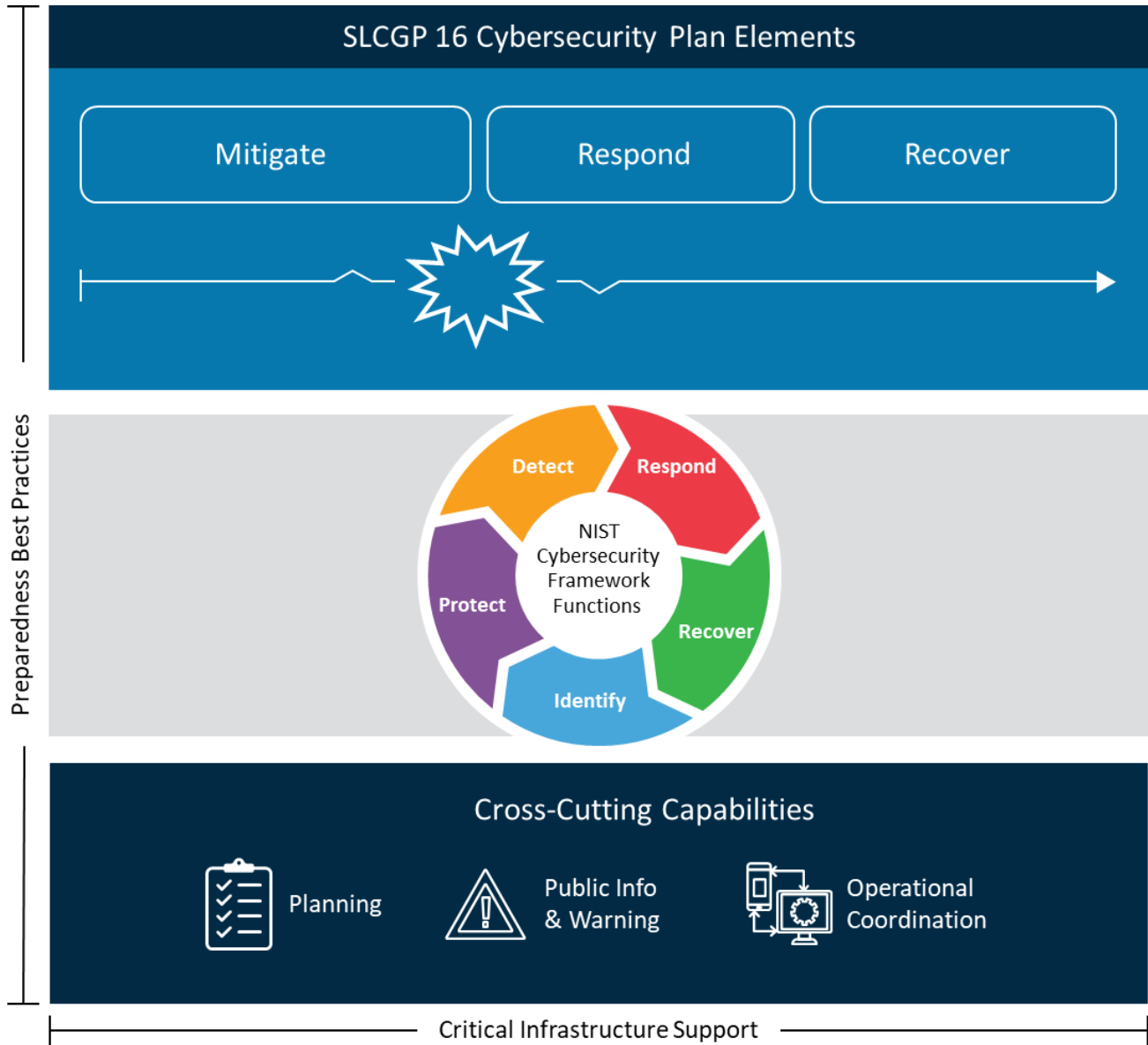


Figure 1: Achieving Cyber Resilience Through Comprehensive Cybersecurity Plans

## Vision and Mission

This section describes the State of Vermont's vision and mission for improving cybersecurity:

### **Vision:**

*To improve Vermont's cybersecurity.*

### **Mission:**

Ensure a cyber secure and resilient Vermont that supports public safety, protects privacy, and fosters economic growth.

## Cybersecurity Program Goals and Objectives

The State of Vermont cybersecurity goals and objectives include the following:

Cybersecurity Program	
Program Goal	Program Objectives
1. Improving Vermont's cybersecurity capabilities	1.1 Increasing cybersecurity knowledge statewide
	1.2 Enhancing cybersecurity workforce development
	1.3 Improving the technology to protect, defend against, and reduce the risk of cyber-attacks.
2. Increase Vermont's cyber resilience	2.1 Increase the ability to anticipate, withstand, respond to, and recover from cyber incidents.
3. Increase Vermont's cyber communication and information/intelligence sharing.	3.1 Expand the communication, coordination, and awareness between entities such as state and local government agencies, businesses, and citizens to improve an understanding of risk.
4. Increase Vermont's cyber education	4.1 Increase statewide partnerships with local, state, federal, nonprofit, and private sector organizations to enhance cyber education of Vermonters.

## CYBERSECURITY PLAN ELEMENTS

This plan incorporates the following plans:

- State of Vermont, Cybersecurity Strategy, 2019.



---

---

## Manage, Monitor, and Track

To effectively manage, monitor, and track information systems, applications, and user accounts, the strategy calls for the implementation of centralized monitoring tools and the establishment of clear access control policies. The specifics of monitoring tool design and implementation will be addressed in a follow-up plan; which will specifically include legacy systems.

## Monitor, Audit, and Track

The strategy emphasizes the need to monitor, audit, and track network traffic and activity. This will be achieved through network security tools such as intrusion detection and prevention systems, firewalls, and security information and event management (SIEM) solutions.

## Enhance Preparedness

Enhancing preparation, response, and resilience against cybersecurity risks and threats involves regular risk assessments, incident response planning, and continuous improvement of security controls. This will at a minimum consist of annual internal state exercises, with after action analysis and updates to Incident Response Planning and integration into state Emergency Response Planning.

## Assessment and Mitigation

Continuous cybersecurity vulnerability assessments and threat mitigation practices will be implemented through periodic penetration testing, vulnerability scanning, and threat intelligence gathering.

## Best Practices and Methodologies

Adopting and using cybersecurity best practices and methodologies will help strengthen the overall security posture of the state. The State of Vermont will continue to educate members of the whole community to work towards the adoption of best practices and methodologies which include:

- Implement multi-factor authentication.
- Implement enhanced logging.
- Data encryption for data at rest and in transit.
- End use of unsupported/end of life software and hardware that are accessible from the Internet.
- Prohibit use of known/fixed/default passwords and credentials.
- Ensure the ability to reconstitute systems (backups).
- Migration of local entities to the .gov internet domain.

## Safe Online Services

Promoting the delivery of safe, recognizable, and trustworthy online services includes utilizing secure web protocols, implementing strong authentication measures, and ensuring secure data handling practices. Government organizations at the local and state level will be encouraged to adopt the .gov domain to ensure that regardless of the level of government, citizens will be ensured they are receiving safe, recognizable, and trustworthy services and information.

---

---

## Continuity of Operations

Ensuring continuity of operations in the event of a cybersecurity incident requires comprehensive incident response plans, regular training, and exercises to validate and improve response capabilities. The State of Vermont will continue to develop, implement, and revise robust cybersecurity response plans at the State level and municipal level. These will be verified through regular training and exercises which will provide continuing opportunities for the State of Vermont to improve capabilities and plans.

## Workforce

Using the NICE Workforce Framework for Cybersecurity will help identify workforce gaps, enhance recruitment and retention efforts, and improve the knowledge, skills, and abilities of cybersecurity personnel. The State of Vermont will continue to grow a pipeline of cybersecurity personnel while improving the cybersecurity knowledge of current personnel through training and information sharing.

## Continuity of Communications and Data Networks

Ensuring continuity of communication and data networks in the event of an incident involves establishing redundant systems, backup communication channels, and robust disaster recovery plans. The State of Vermont will continue seeking to build future communications and data networks with redundancy and interoperability. Continuity operations will seek to integrate with already existing statewide response and interoperability plans which include the Vermont Statewide Communication Interoperability Plan.<sup>2</sup> Municipalities seeking to apply for communication funding through the Homeland Security Grant Program will be encouraged to coordinate with the Statewide Interoperability Coordinator to ensure that interoperability is being maintained.

## Assess and Mitigate Cybersecurity Risks and Threats to Critical Infrastructure and Key Resources

Assessing and mitigating cybersecurity risks and threats related to critical infrastructure and key resources will involve close collaboration with relevant stakeholders, as well as the integration of security measures into the design and operation of these assets. In addition, the State of Vermont will seek to partner with CISA to utilize their services (through the Cybersecurity Advisor) to provide services to partners in the private sector.

## Cyber Threat Indicator Information Sharing

Enhancing capabilities to share cyber threat indicators and related information entails creating secure communication channels, promoting a culture of information sharing, and fostering partnerships with relevant organizations.

The Vermont Intelligence Center (VIC) is the only fusion center in Vermont. As such they will assist in sharing cyber threat indicators and information sharing within the state and to federal partners. Information is also collected and shared through the MS-ISAC and other critical infrastructure sectors collect information through their respective information sharing and analysis centers.

---

<sup>2</sup> <https://rts.vermont.gov/sites/rts/files/documents/SCIP%202020%20Vermont%20FINAL.pdf>

---

---

## Leverage CISA Services

Leveraging cybersecurity services offered by the Department includes utilizing CISA resources, required services, and membership to bolster the state's cybersecurity posture.

The State of Vermont will continue to utilize and partner with the services offered by CISA in coordination with the Cyber and Protective Security Advisor. Participation in cyber hygiene services including the Web Application Scanning and Vulnerability Scanning will be required in order to participate in the SLCGP program and marketed to municipalities and stakeholders throughout the state during meetings, conferences, and workshops.

The State of Vermont and entities receiving funding under the SLCGP program will complete the Nationwide Cybersecurity Review (NCSR) annually. In addition, entities seeking to enhance their cybersecurity programs will be required to complete the NCSR.

## Information Technology and Operational Technology Modernization Review

Implementing an IT and OT modernization cybersecurity review process ensures that both information technology and operational technology systems align with cybersecurity objectives.

The State of Vermont's strategic approach to ensure alignment between information technology and operational technology cybersecurity objectives is that although much of the funding comes from different sources to protect the totality of these systems, a distinction is not made between controls applied to information technology and operational technology as the convergence of the (formerly) two technologies is almost complete. SLCGP participants may also replace end of life/outdated equipment found at this convergence, e.g., Windows XP and/or Windows 7 Machines if equipment purchases are approved by the SLCGP Planning Committee at some point in the future.

## Cybersecurity Risk and Threat Strategies

Developing and coordinating strategies to address cybersecurity risks and threats requires ongoing collaboration with stakeholders, including local governments, associations, and neighboring entities. The Cybersecurity Planning Committee will continue to meet regularly to evaluate cybersecurity risks and threats to ensure that the strategies within this plan are addressing the evolving threat landscape.

## Rural Communities

Ensuring adequate access to and participation in services and programs for rural areas involves providing resources, training, and support to these communities. As defined in 49 U.S. Code § 5302, rural areas are defined as "an area encompassing a population of less than 50,000 people that has not been designated in the most recent decennial census as an ["urbanized area"](#) by the Secretary of the Agency of Commerce and Community Development." As such, this plan seeks to provide services to all Vermont communities and ensure that all Vermont communities receive access to the resources, training, and support necessary to improve Vermont's cybersecurity.

## FUNDING & SERVICES

The State of Vermont SLCGP Planning Committee intends to focus on 4 key efforts to strengthen cybersecurity across the State.

These efforts include:

- Update and refine Cybersecurity Plan
- Provide Scholarships for Local IT Employees to achieve Security+ Certification
- Procure and Distribute Hardware Tokens for use by Local entities to implement Multifactor Authentication.
- Procure Professional Services for use by local entities to migrate to the .gov domain.

These efforts are detailed in **Appendix B: Project Summary Worksheet**

## **Distribution to Local Governments**

The State of Vermont intends to use at least 80%, and most likely more, of the funding received through SLCGP to deliver services and capabilities to local government entities as described in Appendix B: Project Summary Worksheet. The State of Vermont does NOT intend to provide sub-grants or direct pass through of funds as part of this program. This approach, including ensuring that 25% of the Grant Funding is received as services to rural areas meets the requirement in the State and Local Cybersecurity Improvement Act: e.2.B.xvi. Individual local and rural recipients will enter an MOU acknowledging such per the Vermont SAA standard operating procedures.

## **ASSESS CAPABILITIES**

The Vermont SLCGP Planning Committee used Appendix A: Cybersecurity Plan Capabilities Assessment to assess and document capabilities for the cybersecurity plan elements included in this plan.

## **IMPLEMENTATION PLAN**

### **Organization, Roles and Responsibilities**

At the State Level, there are three individuals with primary responsibility and accountability under the Law for providing and maintaining the information technology infrastructure, including all aspects of cybersecurity for their respective branch of Government. For the Executive Branch of State Government, this individual is the Secretary of the Agency of Digital Services (Referred to as the State CIO.) For the Legislative Branch of State Government, this individual is the Legislative Director of Information Technology. For the Judicial Branch of State Government, this individual is the Vermont Judiciary Chief Technology and Innovation Officer. The State Chief Information Security Officer (CISO) reports to the State CIO. Additionally, there are CIOs and ISOs in various other State organizations depending on their size and complexity.

These individuals routinely collaborate and coordinate through two entities, The Tri-Branch IT Working Group and the Cybersecurity Advisory Council. **Appendix B: Project Summary Worksheet** provides a list of cybersecurity projects to complete that tie to each goal and objective of the Cybersecurity Plan.

## Resource Overview and Timeline Summary

The following information is provided to meet the requirement in the **State and Local Cybersecurity Improvement Act: e.2.E**. This information represents the best estimation based on current reference material. It is subject to revision over time.

The resources in the following table will be required to implement the plan over the next four years:

### Voting members if the Planning Committee and CISA Liaison to the Planning Committee

Representation	Name	Title	Organization	IT Experience (y/n)
Eligible Entity	Jennifer Morrison	Commissioner (HSA)	Department of Public Safety	No
CIO, CISO, Equivalent	David Kaiser	CISO	Agency of Digital Services	Yes
Local Government	Cate Cross	Selectboard Member	Shelburne	Yes
Local Government	Jay Furr	Selectboard member	Richmond	Yes
Local Government Association	Ted Brady	Executive Director	VT League of Cities and Towns	No
Public Education	Emmanuel Ajanma	Technology Director	Barre Unified Union School District	Yes
Public Education	Mike Battig	Director, Cyber School	Norwich University	Yes
Public Health	Nate Couture	Network CISO	University of Vermont Health Network	Yes
Secretary of State's Office	Jon Welch	Technology Director	Secretary of State	Yes
Fusion Center	Ryan McLiverty	Cyber Intelligence Analyst	Vermont Intelligence Center	Yes
Attorney General	James Layman	Assistant Attorney General	Vermont Attorney General's Office	No
Federal Govt	Cheri Ayoub	Cybersecurity Advisor	CISA	Yes

## METRICS

Vermont - Cybersecurity Plan Metrics			
Program Objectives	Program Sub-Objectives	Associated Metrics	Metric Description (details, source, frequency)
1. Improve State and Local Entities capability and capacity to adopt and use best practices and methodologies to enhance cybersecurity	1.1 Improve and Refine SLGCP Cybersecurity Plan	Future plan(s) approved by CISA.	Email from CISA confirming approval of plan.
	1.2 Implement Multi-factor Authentication	Number of hardware tokens procured and distributed to local entities.	Integer, Report from Office of the CISO, quarterly
	1.3 Migrate Local entities to .gov domain	Number of new hardware and applications sending logs to collector	Integer, Report from Local Entity, quarterly.
	1.4 Increase knowledge and skills of local IT/Security Professionals	Number of Local employees that achieve Security + Certification through scholarships.	Integer, Report from Service Provider, quarter

## APPENDIX A: SAMPLE CYBERSECURITY PLAN CAPABILITIES ASSESSMENT

COMPLETED BY STATE OF VERMONT				FOR ASSESSOR
Cybersecurity Plan Required Elements	Brief Description of Current Capabilities of SLTT within the Eligible Entity	Select capability level from: Foundational Fundamental Intermediary Advanced	Project # (s) <i>(If applicable – as provided in Appendix B)</i>	Met
1. Manage, monitor, and track information systems, applications, and user accounts	Incomplete implementation across the totality of the State and Local Government entities.	Foundational	1,2,3	
2. Monitor, audit, and track network traffic and activity	Incomplete implementation across the totality of the State and Local Government entities	Foundational	1,2,4	
3. Enhance the preparation, response, and resiliency of information systems, applications, and user accounts	Incomplete implementation across the totality of the State and Local Government entities	Foundational	2,3,4,5	
4. Implement a process of continuous cybersecurity risk factors and threat mitigation. practices prioritized by degree of risk	Incomplete implementation across the totality of the State and Local Government entities. Different Processes used by State entities and other Local Entities	Foundational	2,4	
5. Adopt and use best practices and methodologies to enhance cybersecurity (references NIST)				
a. Implement multi-factor authentication	Incomplete implementation across the totality of the State and Local Government entities.	Foundational	3	
b. Implement enhanced logging	Incomplete implementation across the totality of the State and Local Government entities.	Foundational	1	
c. Data encryption for data at rest and in transit	Based on standard configurations of Microsoft and Network Devices this is addressed	Intermediary	None under this program	

d. End use of unsupported/end of life software and hardware that are accessible from the Internet	Incomplete implementation across the totality of the State and Local Government entities.	Foundational	6	
e. Prohibit use of known/fixed/default passwords and credentials	Incomplete implementation across the totality of the State and Local Government entities	Foundational	1,5	
f. Ensure the ability to reconstitute systems (backups)	Incomplete implementation across the totality of the State and Local Government entities	Intermediary	None under this program	
g. Migration of local entities to the .gov internet domain	Incomplete across the eligible entity	Intermediary	5	
6. Promote the delivery of safe, recognizable, and trustworthy online services, including using the .gov internet domain	Incomplete across the eligible entity	Intermediary	5	
7. Ensure continuity of operations including by conducting exercises	Different processes are used across the various State and Local Government entities. Some are managed services, and some are inherent in State process and Procedure	Intermediary	None under this program	
8. Identify and mitigate any gaps in the cybersecurity workforces, enhance recruitment and retention efforts, and bolster the knowledge, skills, and abilities of personnel (reference to NICE Workforce Framework for Cybersecurity)	Different processes are used across the various State and Local Government entities. Some are managed services, and some are inherent in State process and Procedure	Intermediary	None under this program	
9. Ensure continuity of communications and data networks in the event of an incident involving communications or data networks	Pretty solid at the State Level and for Local First Responders, but less than Advanced for many other local entities.	Intermediary	None under this program	
10. Assess and mitigate, to the greatest degree possible, cybersecurity risks and cybersecurity threats relating to critical infrastructure and key resources, the degradation of which	Incomplete implementation across the totality of the State and Local Government entities.	Foundational	1,2,3,4,	



may impact the performance of information systems within the jurisdiction of the eligible entity				
11. Enhance capabilities to share cyber threat indicators and related information between the eligible entity and the Department	Will stick with current process and arrangement. No intent to expand information sharing agreements currently.	Intermediary	None under this program	
12. Leverage cybersecurity services offered by the Department	NOFO requires organizations receiving funding from the grant take MS-ISAC NCSR (membership/services paid by CISA) and CISA Vuln Scanning and Web App Scanning.	Foundational	1,2,3,	
13. Implement an information technology and operational technology modernization cybersecurity review process that ensures alignment between information technology and operational technology cybersecurity objectives	Replacement of end of life/end of support equipment used at the convergence of IT/IO systems.	Foundational	4	
14. Develop and coordinate strategies to address cybersecurity risks and cybersecurity threats	This plan contributes to this required element	Advanced	1	
15. Ensure rural communities have adequate access to, and participation in plan activities	Inherent in the program administration. Many areas of Vermont qualify for this	Advanced	1,2,3,4	
16. Distribute funds, items, services, capabilities, or activities to local governments	Vermont has a mature SAA that routinely manages FEMA/DHS Grant programs.	Advanced	1,2,3,4	

## APPENDIX B: PROJECT SUMMARY WORKSHEET

**Purpose:** The **Project Summary Worksheet** is a list of cybersecurity projects that the entity plans to complete to develop or improve any needed cybersecurity capabilities identified in **Appendix A: Sample Cybersecurity Plan Capabilities Assessment**.

Rank	1. Project Name	2. Project Description	3. Related Required Element #	4. Cost	5. Status	6. Priority	7. Project Type
1	Vermont Statewide Cybersecurity Plan Refinement	Additional planning by Cybersecurity Planning Committee to refine Cybersecurity Plan Submission for FFY2023	1,2,3, 4, 5, 7,9, 10	\$200K	Ongoing	High	Plan
2	Hardware Tokens for MFA	Procure and Distribute Hardware Tokens for use by Local entities to implement Multifactor Authentication	1,3,5a,5e,10	\$1M	Future	Medium	Equip
3	Migration of local entities to .gov Domain	Procure Professional Services for use by local entities to migrate to the .gov domain.	3,5g,8,10	\$1M	Future	High	Organize
4	Security Training Course	CompTIA Security+ is an entry level security certification, that validates knowledge of basic security concepts, communication security, infrastructure security, cryptography, and operational security. Local Government IT Employees will receive a “scholarship” to attend this training and receive certification	3, 4, 8, 10	\$100K	Future	Medium	Train

## APPENDIX C: ENTITY METRICS

The below table should reflect the goals and objectives the Cybersecurity Planning Committee establishes.

Cybersecurity Plan Metrics			
Program Goal	Program Objectives	Associated Metrics	Metric Description (details, source, frequency)
1. The State of Vermont has an approved Cybersecurity Plan that meets the SLCGP requirements as defined in the NOFO	1.1 Draft the Plan	Draft Plan exists in Document Library	CISO confirms Draft Plan is in Document Library
	1.2 Committee Approves Plan	Signed Letter by CIO	Committee Meeting Minutes
	1.3 Submit the Plan to CISA	Confirmation of Receipt	Email from CISA
	1.4 CISA Approves Plan	Statement of Approval	Email from CISA
2. Receive Funding from SLCGP	2.1 Funding received to Execute approved projects	Receipt of funds	Accept and Expend approval from Governor and Council
3. Execute Procurement Process for Each Approved Project	3.1 Execute approved projects	Projects are invoiced and paid	Financial Reporting via SAA
	3.2 Closeout approved projects	Projects are terminated or renewed	Financial Reporting via SAA
4. Process services for Local Entities and Rural areas that request inclusion	4.1 Enroll Local Entities in Services	Number of entities enrolled in each approved project	Financial Reporting via SAA
5. Review, Revise and Update Plan for next FY as required.	5.1 Repeat Objectives for Goal 1 for subsequent FY	See Goal 1	See Goal 1

## APPENDIX D: ACRONYMS

Acronym	Definition
VIC	Vermont Intelligence Center

---

---

<b>Acronym</b>	<b>Definition</b>

**U.S. Department of Homeland Security  
Washington, D.C. 20472  
GRANT AMENDMENT LETTER**

Vermont Department of Public Safety  
Christian Pedoty  
45 State Drive  
Waterbury, VT 05671 - 1300  
Re: Amendment #: EMW-2022-CY-00088-A02

Dear Christian Pedoty,

The amendment to change the award information for Fiscal Year (FY) 2022 State and Local Cybersecurity Grant Program (Award #: EMW-2022-CY-00088-S01) has been approved on 08/18/2023. The changes to the award information are listed below.

**Terms and Conditions Change:**

The following Term and Condition has been added to your award:  
REVISED Cybersecurity Plan Pending Submission and Approval

FEMA has placed a funding hold on **\$1,155,068** in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down these funds. To release this hold, the recipient is required to submit a Cybersecurity Plan for approval by CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@FEMA-DHS.gov](mailto:FEMA-SLCGP@FEMA-DHS.gov) to receive further guidance on the steps required for Cybersecurity Plan approval. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

The following Term and Condition has been added to your award:  
REVISED Membership List Pending Submission and Approval

FEMA has placed a funding hold on this award, and the amount of **\$1,155,069** is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down funds until the Committee Membership List is submitted and approved. To release this hold, the recipient is required to submit the Committee Membership List, and receive approval of the Membership List from CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@fema.dhs.gov](mailto:FEMA-SLCGP@fema.dhs.gov) to receive further guidance on the steps required to release this hold. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

The following Term and Condition has been removed from your award:  
Cybersecurity Plan Pending Submission and Approval

FEMA has placed a funding hold on \$2,310,137 in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down these funds.

To release this hold, the recipient is required to submit a Cybersecurity Plan for approval by CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) to receive further guidance on the steps required for Cybersecurity Plan approval.

If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer, Essence Cleveland at [Essence.Cleveland@fema.dhs.gov](mailto:Essence.Cleveland@fema.dhs.gov).

The following Term and Condition has been removed from your award:

Committee Membership List Pending Submission or Approval

FEMA has placed a funding hold on this award, and the amount of \$2,310,137 is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down funds until the Committee Membership List is submitted and approved.

To release this hold, the recipient is required to submit the Committee Membership List, and receive approval of the Membership List from CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) to receive further guidance on the steps required to release this hold.

If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer, Essence Cleveland at [Essence.Cleveland@fema.dhs.gov](mailto:Essence.Cleveland@fema.dhs.gov).

The award information contained in this amendment supersedes award information listed in previous award packages and amendments. If you have any questions or concerns regarding your grant funds, please call 1-866-927-5646.

SHENAUZ SUBRINA WONG  
Assistance Officer

## Amendment Agreement Articles

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

**AGREEMENT ARTICLES**  
**State and Local Cybersecurity Grant Program**

**GRANTEE:** Vermont Department of Public Safety  
**ORGANIZATION EIN:** 036000264  
**ORGANIZATION DUNS:** 809376692  
**ORGANIZATION UEI:** LALMDNWSYKT1  
**ORGANIZATION TYPE:** State governments  
**ORGANIZATION CONGRESSIONAL DISTRICT CODE:** VT-00  
**ORGANIZATION PHYSICAL ADDRESS:** 45 State Drive  
Waterbury, VT 05671 - 1300  
**ORGANIZATION MAILING ADDRESS:** 45 State Drive  
Waterbury, VT -  
**PROGRAM:** State and Local Cybersecurity Grant Program  
**SOLICITATION NAME:** Fiscal Year (FY) 2022 State and Local Cybersecurity Grant Program  
**SOLICITATION YEAR:** 2022  
**SOLICITATION DESCRIPTION:** A Cybersecurity Plan of an eligible entity shall --\r\n(A) incorporate, to the extent practicable --\r\n\r\n(i) any existing plans of the eligible entity to protect against cybersecurity risks and cybersecurity threats to information systems owned or operated by, or on behalf of, State, local, or Tribal governments; and\r\n\r\n(ii) if the eligible entity is a State, consultation and feedback from local governments and associations of local governments within the jurisdiction of the eligible entity;\r\n(B) describe, to the extent practicable, how the eligible entity will --\r\n\r\n(i) manage, monitor, and track information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, and the information technology deployed on those information systems, including legacy information systems and information technology that are no longer supported by the manufacturer of the systems or technology;\r\n\r\n(ii) monitor, audit, and, track network traffic and activity transiting or traveling to or from information systems, applications, and user accounts owned or operated by, or on behalf of, the

eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity;\r\n\r\n(iii) enhance the preparation, response, and resiliency of information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, against cybersecurity risks and cybersecurity threats;\r\n\r\n(iv) implement a process of continuous cybersecurity vulnerability assessments and threat mitigation practices prioritized by degree of risk to address cybersecurity risks and cybersecurity threats on information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity;\r\n\r\n(v) ensure that the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, adopt and use best practices and methodologies to enhance cybersecurity, such as --\r\n\r\n(I) the practices set forth in the cybersecurity framework developed by the National Institute of Standards and Technology;\r\n\r\n(II) cyber chain supply chain risk management best practices identified by the National Institute of Standards and Technology; and\r\n\r\n(III) knowledge bases of adversary tools and tactics;\r\n\r\n(vi) promote the delivery of safe, recognizable, and trustworthy online services by the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, including through the use of the .gov internet domain;\r\n\r\n(vii) ensure continuity of operations of the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, in the event of a cybersecurity incident, including by conducting exercises to practice responding to a cybersecurity incident;\r\n\r\n(viii) use the National Initiative for Cybersecurity Education Workforce Framework for Cybersecurity developed by the National Institute of Standards and Technology to identify and mitigate any gaps in the cybersecurity workforces of the eligible entity and, if the eligible entity is a State, local governments within the



jurisdiction of the eligible entity, enhance recruitment and retention efforts for those workforces, and bolster the knowledge, skills, and abilities of personnel of the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, to address cybersecurity risks and cybersecurity threats, such as through cybersecurity hygiene training; \\\n` (ix) if the eligible entity is a State, ensure continuity of communications and data networks within the jurisdiction of the eligible entity between the eligible entity and local governments within the jurisdiction of the eligible entity in the event of an incident involving those communications or data networks; \\\n` (x) assess and mitigate, to the greatest degree possible, cybersecurity risks and cybersecurity threats relating to critical infrastructure and key resources, the degradation of which may impact the performance of information systems within the jurisdiction of the eligible entity; \\\n` (xi) enhance capabilities to share cyber threat indicators and related information between the eligible entity and -- \\\n` (I) if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, including by expanding information sharing agreements with the Department; and \\\n` (II) the Department; \\\n` (xii) leverage cybersecurity services offered by the Department; \\\n` (xiii) implement an information technology and operational technology modernization cybersecurity review process that ensures alignment between information technology and operational technology cybersecurity objectives; \\\n` (xiv) develop and coordinate strategies to address cybersecurity risks and cybersecurity threats in consultation with -- \\\n` (I) if the eligible entity is a State, local governments and associations of local governments within the jurisdiction of the eligible entity; and \\\n` (II) as applicable -- \\\n` (aa) eligible entities that neighbor the jurisdiction of the eligible entity or, as appropriate, members of an information sharing and analysis organization; and \\\n` (bb) countries that neighbor the jurisdiction of the eligible entity; \\\n` (xv) ensure adequate access to, and participation in, the services and programs described in this subparagraph by rural areas within the

jurisdiction of the eligible entity; and  
(xvi) distribute funds, items, services, capabilities, or activities to local governments under subsection (n)(2)(A), including the fraction of that distribution the eligible entity plans to distribute to rural areas under subsection (n)(2)(B); (C) assess the capabilities of the eligible entity relating to the actions described in subparagraph (B); (D) describe, as appropriate and to the extent practicable, the individual responsibilities of the eligible entity and local governments within the jurisdiction of the eligible entity in implementing the plan; (E) outline, to the extent practicable, the necessary resources and a timeline for implementing the plan; and (F) describe the metrics the eligible entity will use to measure progress towards --  
(i) implementing the plan; and  
(ii) reducing cybersecurity risks to, and identifying, responding to, and recovering from cybersecurity threats to, information systems owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity.

**AMENDMENT NUMBER:**

EMW-2022-CY-00088-A02

**Name of the AO who signed the amendment**

SHENAUZ

WONG

**TABLE OF CONTENTS**

Article I - Summary Description of Award

Article II - SLCGP Performance Goal

Article III - DHS Standard Terms and Conditions Generally

Article IV - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

Article V - General Acknowledgements and Assurances

Article VI - Acknowledgement of Federal Funding from DHS

Article VII - Activities Conducted Abroad

Article VIII - Age Discrimination Act of 1975

Article IX - Americans with Disabilities Act of 1990

Article X - Best Practices for Collection and Use of Personally Identifiable Information

Article XI - Civil Rights Act of 1964 - Title VI

Article XII - Civil Rights Act of 1968

Article XIII - Copyright

Article XIV - Debarment and Suspension

Article XV - Drug-Free Workplace Regulations

Article XVI - Duplication of Benefits

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

Article XVIII - Energy Policy and Conservation Act

Article XIX - False Claims Act and Program Fraud Civil Remedies

Article XX - Federal Debt Status

Article XXI - Federal Leadership on Reducing Text Messaging while Driving

Article XXII - Fly America Act of 1974

Article XXIII - Hotel and Motel Fire Safety Act of 1990

Article XXIV - John S. McCain National Defense Authorization Act of Fiscal Year 2019

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

Article XXVI - Lobbying Prohibitions

Article XXVII - National Environmental Policy Act

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

Article XXIX - Non-Supplanting Requirement

Article XXX - Notice of Funding Opportunity Requirements

Article XXXI - Patents and Intellectual Property Rights

Article XXXII - Procurement of Recovered Materials

Article XXXIII - Rehabilitation Act of 1973

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

Article XXXV - Reporting Subawards and Executive Compensation

Article XXXVI - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Article XXXVII - SAFECOM

Article XXXVIII - Terrorist Financing

Article XXXIX - Trafficking Victims Protection Act of 2000 (TVPA)

Article XL - Universal Identifier and System of Award Management

Article XLI - USA PATRIOT Act of 2001

Article XLII - Use of DHS Seal, Logo and Flags

Article XLIII - Whistleblower Protection Act

Article XLIV - Environmental Planning and Historic Preservation (EHP) Review

Article XLV - Applicability of DHS Standard Terms and Conditions to Tribes

Article XLVI - Acceptance of Post Award Changes

Article XLVII - Disposition of Equipment Acquired Under the Federal Award

Article XLVIII - Prior Approval for Modification of Approved Budget

Article XLIX - Indirect Cost Rate

Article L - REVISED Cybersecurity Plan Pending Submission and Approval

Article LI - REVISED Membership List Pending Submission and Approval

### **Article I - Summary Description of Award**

The purpose of the Fiscal Year 2022 State and Local Cybersecurity Grant Program (SLCGP) is to assist state, local, and territorial (SLT) governments with managing and reducing systemic cyber risk. Through funding from the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, the SLCGP enables DHS to make targeted cybersecurity investments in SLT government agencies, thus improving the security of critical infrastructure and improving the resilience of the services SLT governments provide their community. This SLCGP award provides funding in the amount of: \$2,310,137 for the state of Vermont. Of this amount, up to \$115,506 can be retained by the State Administrative Agency (SAA) for management and administrative expenses, and a total of \$256,682 is the required cost share.

The terms of the approved Investment Justification(s) and Budget Detail Worksheet(s) submitted by the recipient are incorporated into the terms of this Federal award, subject to the additional description and limitations stated in this Agreement Article and the limitations stated in subsequent reviews by FEMA and CISA of the award budget. Post-award documents

uploaded into ND Grants for this award are also incorporated into the terms and conditions of this award, subject to any limitations stated in subsequent approvals by FEMA and CISA of changes to the award. Investments not listed in this Agreement Article are not approved for funding under this award.

## **Article II - SLCGP Performance Goal**

In addition to the Performance Progress Report (PPR) submission requirements due January 30, outlined in NOFO Appendix A-11, recipients must demonstrate how the grant-funded projects address the capability gaps identified in their Cybersecurity Plan or other relevant documentation or sustains existing capabilities per the CISA-approved Investment Justification. The capability gap reduction or capability sustainment must be addressed in the PPR, Section 10. Performance Narrative.

## **Article III - DHS Standard Terms and Conditions Generally**

The Fiscal Year (FY) 2022 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2022. These terms and conditions flow down to subrecipients unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations.

All legislation and digital resources are referenced with no digital links. The FY 2022 DHS Standard Terms and Conditions will be housed on dhs.gov at [www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions](http://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions).

## **Article IV - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. 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 as instructed by the awarding agency.

II. 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.

III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. section 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

## **Article V - General 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.

I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS.

II. Recipients must give DHS access 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 or personnel.

III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.

IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance.

V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto: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>.

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

#### **Article VI - 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 VII - Activities Conducted Abroad**

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

#### **Article VIII - Age Discrimination Act of 1975**

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 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 IX - 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. 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 X - Best Practices for Collection and Use of Personally Identifiable Information**

Recipients who collect personally identifiable information (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 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 XI - 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 XII - Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 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 XIII - 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 XIV - 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 3002. 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 XV - 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 XVI - 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 XVII - 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. 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 XVIII - Energy Policy and Conservation Act**

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 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 XIX - 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 prohibit 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 XX - 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 XXI - 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 XXII - 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.) 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 XXIII - Hotel and Motel Fire Safety Act of 1990**

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 Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a.

#### **Article XXIV - John S. McCain National Defense Authorization Act of Fiscal Year 2019**

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

#### **Article XXV - Limited English Proficiency (Civil Rights Act of 1964 - Title VI)**

Recipients must comply with 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 XXVI - 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 XXVII - National Environmental Policy Act**

Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require 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 XXVIII - 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 XXIX - 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 XXX - Notice of Funding Opportunity Requirements**

All 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 XXXI - Patents and Intellectual Property Rights**

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq, unless otherwise provided by law. 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 XXXII - 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. 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 XXXIII - Rehabilitation Act of 1973**

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 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 XXXIV - Reporting of Matters Related to Recipient Integrity and Performance**

General Reporting Requirements:

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 XXXV - Reporting Subawards and Executive Compensation**

Reporting of first tier subawards:

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 XXXVI - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**

Recipients and subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act Sections 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also Office of Management and Budget (OMB), Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

Recipients and subrecipients of federal financial assistance programs for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- (2) all manufactured products used in the project are produced in the United States--this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- (3) all construction materials are manufactured in the United States--this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

*Waivers*

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements.

(a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:

- (1) applying the domestic content procurement preference would be inconsistent with the public interest;
- (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
- (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the OMB Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described. For awards by the Federal Emergency Management Agency (FEMA), existing waivers are available and the waiver process is described at ["Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov](#). For awards by other DHS components, please contact the applicable DHS FAO.

To see whether a particular DHS federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please either contact the applicable DHS FAO, or for FEMA awards, please see [Programs and Definitions: Build America, Buy America Act | FEMA.gov](#).

#### **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 (TVPA)**

Trafficking in Persons:

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 of Award Management**

Requirements for System for Award Management and Unique Entity Identifier 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 (EHP) Review**

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

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. In order to initiate EHP review of your project(s), you must submit a detailed project description along with supporting documentation. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies.

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

#### **Article XLV - Applicability of DHS Standard Terms and Conditions to Tribes**

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

#### **Article XLVI - 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@fema.dhs.gov](mailto:ASK-GMD@fema.dhs.gov) if you have any questions.

#### **Article XLVII - Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state subrecipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state subrecipients must follow the disposition requirements in accordance with state laws and procedures.

#### **Article XLVIII - Prior Approval for Modification of Approved Budget**

Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308.

For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) 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 FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved.

For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work.

You must report any deviations from your 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 XLIX - Indirect Cost Rate**

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

#### **Article L - REVISED Cybersecurity Plan Pending Submission and Approval**

FEMA has placed a funding hold on **\$1,155,068** in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down these funds. To release this hold, the recipient is required to submit a Cybersecurity Plan for approval by CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@FEMA-DHS.gov](mailto:FEMA-SLCGP@FEMA-DHS.gov) to receive further guidance on the steps required for Cybersecurity Plan approval. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

#### **Article LI - REVISED Membership List Pending Submission and Approval**

FEMA has placed a funding hold on this award, and the amount of **\$1,155,069** is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down funds until the Committee Membership List is submitted and approved. To release this hold, the recipient is required to submit the Committee Membership List, and receive approval of the Membership List from CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@fema.dhs.gov](mailto:FEMA-SLCGP@fema.dhs.gov) to receive further guidance on the steps required to release this hold. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

**Obligating Document for Amendment**

1a. AGREEMENT NO. EMW-2022-CY-00088-S01	2. AMENDMENT NO. EMW-2022-CY-00088-A02	3. RECIPIENT NO. 036000264	4. TYPE OF ACTION AMENDMENT	5. CONTROL NO. WX00743N2023T
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 Christian Pedoty	PHONE NO. 8027600792	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 08/18/2023	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT Cost Reimbursement	14. PERFORMANCE PERIOD  <b>From:</b> 12/01/2022 <b>To:</b> 11/30/2026 <b>Budget Period</b> 12/01/2022 11/30/2026	

## 15. DESCRIPTION OF ACTION

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

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
State and Local Cybersecurity Grant Program	97.137	2023-IF-PA11-P410- -4101-D	\$2,310,137.00	\$0.00	\$2,310,137.00	See Totals
<b>TOTALS</b>			<b>\$2,310,137.00</b>	<b>\$0.00</b>	<b>\$2,310,137.00</b>	<b>\$256,682.00</b>

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)

State and Local Cybersecurity 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 OR DESIGNEE (at the time of the Award) (Name and Title) Morrison, Jennifer Commissioner	SIGNATURE DATE 01/24/2023 15:18
18. FEMA SIGNATORY OFFICIAL (Name and Title) SHENAUZ SUBRINA WONG, Assistance Officer	DATE Fri Aug 18 18:24:00 GMT 2023

**U.S. Department of Homeland Security  
Washington, D.C. 20472  
GRANT AMENDMENT LETTER**

Vermont Department of Public Safety  
Christian Pedoty  
45 State Drive  
Waterbury, VT 05671 - 1300  
Re: Amendment #: EMW-2022-CY-00088-A04

Dear Christian Pedoty,

The amendment to change the award information for Fiscal Year (FY) 2022 State and Local Cybersecurity Grant Program (Award #: EMW-2022-CY-00088-S01) has been approved on 09/18/2023. The changes to the award information are listed below.

**Cost Share Change:** Yes (see below)

	Previous Amount	Adjusted Amount
Federal Resources:	\$2,310,137.00	\$2,310,137.00
Non-Federal Resources:	\$256,682.00	\$0.00

**Budget Change:**

Budget Class	Previous Amount	Adjusted Amount
Personnel	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00
Travel	\$0.00	\$0.00
Equipment	\$0.00	\$0.00
Supplies	\$0.00	\$0.00
Contractual	\$2,566,819.00	\$2,310,137.00
Construction	\$0.00	\$0.00
Indirect Charges	\$0.00	\$0.00
Other	\$0.00	\$0.00
<b>Total</b>	<b>\$2,566,819.00</b>	<b>\$2,310,137.00</b>

Please allow 2-3 business days for this information to be reflected in the Payment and Reporting System (PARS). The award information contained in this amendment supersedes award information listed in previous award packages and amendments. If you have any questions or concerns regarding your grant funds, please call 1-866-927-5646.

SHENAUZ SUBRINA WONG  
Assistance Officer

## Amendment Agreement Articles

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

**AGREEMENT ARTICLES**  
**State and Local Cybersecurity Grant Program**

**GRANTEE:** Vermont Department of Public Safety

**ORGANIZATION EIN:** 036000264

**ORGANIZATION DUNS:** 809376692

**ORGANIZATION UEI:** LALMDNWSYKT1

**ORGANIZATION TYPE:** State governments

**ORGANIZATION CONGRESSIONAL DISTRICT CODE:** VT-00

**ORGANIZATION PHYSICAL ADDRESS:** 45 State Drive  
Waterbury, VT 05671 - 1300

**ORGANIZATION MAILING ADDRESS:** 45 State Drive  
Waterbury, VT -

**PROGRAM:** State and Local Cybersecurity Grant Program

**SOLICITATION NAME:** Fiscal Year (FY) 2022 State and Local Cybersecurity Grant Program

**SOLICITATION YEAR:** 2022

**SOLICITATION DESCRIPTION:** A Cybersecurity Plan of an eligible entity shall --\r\n(A) incorporate, to the extent practicable --\r\n\r\n(i) any existing plans of the eligible entity to protect against cybersecurity risks and cybersecurity threats to information systems owned or operated by, or on behalf of, State, local, or Tribal governments; and\r\n\r\n(ii) if the eligible entity is a State, consultation and feedback from local governments and associations of local governments within the jurisdiction of the eligible entity;\r\n(B) describe, to the extent practicable, how the eligible entity will --\r\n\r\n(i) manage, monitor, and track information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, and the information technology deployed on those information systems, including legacy information systems and information technology that are no longer supported by the manufacturer of the systems or technology;\r\n\r\n(ii) monitor, audit, and, track network traffic and activity transiting or traveling to or from information systems, applications, and user accounts owned or operated by, or on behalf of, the

eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity;\r\n\r\n(iii) enhance the preparation, response, and resiliency of information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, against cybersecurity risks and cybersecurity threats;\r\n\r\n(iv) implement a process of continuous cybersecurity vulnerability assessments and threat mitigation practices prioritized by degree of risk to address cybersecurity risks and cybersecurity threats on information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity;\r\n\r\n(v) ensure that the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, adopt and use best practices and methodologies to enhance cybersecurity, such as --\r\n\r\n(I) the practices set forth in the cybersecurity framework developed by the National Institute of Standards and Technology;\r\n\r\n(II) cyber chain supply chain risk management best practices identified by the National Institute of Standards and Technology; and\r\n\r\n(III) knowledge bases of adversary tools and tactics;\r\n\r\n(vi) promote the delivery of safe, recognizable, and trustworthy online services by the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, including through the use of the .gov internet domain;\r\n\r\n(vii) ensure continuity of operations of the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, in the event of a cybersecurity incident, including by conducting exercises to practice responding to a cybersecurity incident;\r\n\r\n(viii) use the National Initiative for Cybersecurity Education Workforce Framework for Cybersecurity developed by the National Institute of Standards and Technology to identify and mitigate any gaps in the cybersecurity workforces of the eligible entity and, if the eligible entity is a State, local governments within the



jurisdiction of the eligible entity, enhance recruitment and retention efforts for those workforces, and bolster the knowledge, skills, and abilities of personnel of the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, to address cybersecurity risks and cybersecurity threats, such as through cybersecurity hygiene training; \\\n` (ix) if the eligible entity is a State, ensure continuity of communications and data networks within the jurisdiction of the eligible entity between the eligible entity and local governments within the jurisdiction of the eligible entity in the event of an incident involving those communications or data networks; \\\n` (x) assess and mitigate, to the greatest degree possible, cybersecurity risks and cybersecurity threats relating to critical infrastructure and key resources, the degradation of which may impact the performance of information systems within the jurisdiction of the eligible entity; \\\n` (xi) enhance capabilities to share cyber threat indicators and related information between the eligible entity and -- \\\n` (I) if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, including by expanding information sharing agreements with the Department; and \\\n` (II) the Department; \\\n` (xii) leverage cybersecurity services offered by the Department; \\\n` (xiii) implement an information technology and operational technology modernization cybersecurity review process that ensures alignment between information technology and operational technology cybersecurity objectives; \\\n` (xiv) develop and coordinate strategies to address cybersecurity risks and cybersecurity threats in consultation with -- \\\n` (I) if the eligible entity is a State, local governments and associations of local governments within the jurisdiction of the eligible entity; and \\\n` (II) as applicable -- \\\n` (aa) eligible entities that neighbor the jurisdiction of the eligible entity or, as appropriate, members of an information sharing and analysis organization; and \\\n` (bb) countries that neighbor the jurisdiction of the eligible entity; \\\n` (xv) ensure adequate access to, and participation in, the services and programs described in this subparagraph by rural areas within the

jurisdiction of the eligible entity; and  
(xvi) distribute funds, items, services, capabilities, or activities to local governments under subsection (n)(2)(A), including the fraction of that distribution the eligible entity plans to distribute to rural areas under subsection (n)(2)(B); (C) assess the capabilities of the eligible entity relating to the actions described in subparagraph (B); (D) describe, as appropriate and to the extent practicable, the individual responsibilities of the eligible entity and local governments within the jurisdiction of the eligible entity in implementing the plan; (E) outline, to the extent practicable, the necessary resources and a timeline for implementing the plan; and (F) describe the metrics the eligible entity will use to measure progress towards --  
(i) implementing the plan; and  
(ii) reducing cybersecurity risks to, and identifying, responding to, and recovering from cybersecurity threats to, information systems owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity.

**AMENDMENT NUMBER:**

EMW-2022-CY-00088-A04

**Name of the AO who signed the amendment**

SHENAUZ

WONG

**TABLE OF CONTENTS**

Article I - Summary Description of Award

Article II - SLCGP Performance Goal

Article III - DHS Standard Terms and Conditions Generally

Article IV - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

Article V - General Acknowledgements and Assurances

Article VI - Acknowledgement of Federal Funding from DHS

Article VII - Activities Conducted Abroad

Article VIII - Age Discrimination Act of 1975

Article IX - Americans with Disabilities Act of 1990

Article X - Best Practices for Collection and Use of Personally Identifiable Information

Article XI - Civil Rights Act of 1964 - Title VI

Article XII - Civil Rights Act of 1968

Article XIII - Copyright

Article XIV - Debarment and Suspension

Article XV - Drug-Free Workplace Regulations

Article XVI - Duplication of Benefits

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

Article XVIII - Energy Policy and Conservation Act

Article XIX - False Claims Act and Program Fraud Civil Remedies

Article XX - Federal Debt Status

Article XXI - Federal Leadership on Reducing Text Messaging while Driving

Article XXII - Fly America Act of 1974

Article XXIII - Hotel and Motel Fire Safety Act of 1990

Article XXIV - John S. McCain National Defense Authorization Act of Fiscal Year 2019

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

Article XXVI - Lobbying Prohibitions

Article XXVII - National Environmental Policy Act

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

Article XXIX - Non-Supplanting Requirement

Article XXX - Notice of Funding Opportunity Requirements

Article XXXI - Patents and Intellectual Property Rights

Article XXXII - Procurement of Recovered Materials

Article XXXIII - Rehabilitation Act of 1973

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

Article XXXV - Reporting Subawards and Executive Compensation

Article XXXVI - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Article XXXVII - SAFECOM

Article XXXVIII - Terrorist Financing

Article XXXIX - Trafficking Victims Protection Act of 2000 (TVPA)

Article XL - Universal Identifier and System of Award Management

Article XLI - USA PATRIOT Act of 2001

Article XLII - Use of DHS Seal, Logo and Flags

Article XLIII - Whistleblower Protection Act

Article XLIV - Environmental Planning and Historic Preservation (EHP) Review

Article XLV - Applicability of DHS Standard Terms and Conditions to Tribes

Article XLVI - Acceptance of Post Award Changes

Article XLVII - Disposition of Equipment Acquired Under the Federal Award

Article XLVIII - Prior Approval for Modification of Approved Budget

Article XLIX - Indirect Cost Rate

Article L - REVISED Cybersecurity Plan Pending Submission and Approval

Article LI - REVISED Membership List Pending Submission and Approval

#### **Article I - Summary Description of Award**

The purpose of the Fiscal Year 2022 State and Local Cybersecurity Grant Program (SLCGP) is to assist state, local, and territorial (SLT) governments with managing and reducing systemic cyber risk. Through funding from the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, the SLCGP enables DHS to make targeted cybersecurity investments in SLT government agencies, thus improving the security of critical infrastructure and improving the resilience of the services SLT governments provide their community. This SLCGP award provides funding in the amount of: \$2,310,137 for the state of Vermont. Of this amount, up to \$115,506 can be retained by the State Administrative Agency (SAA) for management and administrative expenses, and a total of \$256,682 is the required cost share.

The terms of the approved Investment Justification(s) and Budget Detail Worksheet(s) submitted by the recipient are incorporated into the terms of this Federal award, subject to the additional description and limitations stated in this Agreement Article and the limitations stated in subsequent reviews by FEMA and CISA of the award budget. Post-award documents

uploaded into ND Grants for this award are also incorporated into the terms and conditions of this award, subject to any limitations stated in subsequent approvals by FEMA and CISA of changes to the award. Investments not listed in this Agreement Article are not approved for funding under this award.

## **Article II - SLCGP Performance Goal**

In addition to the Performance Progress Report (PPR) submission requirements due January 30, outlined in NOFO Appendix A-11, recipients must demonstrate how the grant-funded projects address the capability gaps identified in their Cybersecurity Plan or other relevant documentation or sustains existing capabilities per the CISA-approved Investment Justification. The capability gap reduction or capability sustainment must be addressed in the PPR, Section 10. Performance Narrative.

## **Article III - DHS Standard Terms and Conditions Generally**

The Fiscal Year (FY) 2022 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2022. These terms and conditions flow down to subrecipients unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations.

All legislation and digital resources are referenced with no digital links. The FY 2022 DHS Standard Terms and Conditions will be housed on dhs.gov at [www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions](http://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions).

## **Article IV - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. 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 as instructed by the awarding agency.

II. 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.

III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. section 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

## **Article V - General 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.

I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS.

II. Recipients must give DHS access 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 or personnel.

III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.

IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance.

V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto: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>.

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

#### **Article VI - 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 VII - Activities Conducted Abroad**

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

#### **Article VIII - Age Discrimination Act of 1975**

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 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 IX - 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. 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 X - Best Practices for Collection and Use of Personally Identifiable Information**

Recipients who collect personally identifiable information (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 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 XI - 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 XII - Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 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 XIII - 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 XIV - 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 3002. 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 XV - 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 XVI - 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 XVII - 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. 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 XVIII - Energy Policy and Conservation Act**

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 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 XIX - 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 prohibit 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 XX - 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 XXI - 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 XXII - 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.) 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 XXIII - Hotel and Motel Fire Safety Act of 1990**

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 Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a.

#### **Article XXIV - John S. McCain National Defense Authorization Act of Fiscal Year 2019**

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

#### **Article XXV - Limited English Proficiency (Civil Rights Act of 1964 - Title VI)**

Recipients must comply with 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 XXVI - 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 XXVII - National Environmental Policy Act**

Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require 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 XXVIII - 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 XXIX - 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 XXX - Notice of Funding Opportunity Requirements**

All 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 XXXI - Patents and Intellectual Property Rights**

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq, unless otherwise provided by law. 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 XXXII - 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. 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 XXXIII - Rehabilitation Act of 1973**

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 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 XXXIV - Reporting of Matters Related to Recipient Integrity and Performance**

General Reporting Requirements:

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 XXXV - Reporting Subawards and Executive Compensation**

Reporting of first tier subawards:

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 XXXVI - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**

Recipients and subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act Sections 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also Office of Management and Budget (OMB), Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

Recipients and subrecipients of federal financial assistance programs for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- (2) all manufactured products used in the project are produced in the United States--this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- (3) all construction materials are manufactured in the United States--this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

*Waivers*

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements.

(a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:

- (1) applying the domestic content procurement preference would be inconsistent with the public interest;
- (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
- (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the OMB Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described. For awards by the Federal Emergency Management Agency (FEMA), existing waivers are available and the waiver process is described at ["Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov](#). For awards by other DHS components, please contact the applicable DHS FAO.

To see whether a particular DHS federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please either contact the applicable DHS FAO, or for FEMA awards, please see [Programs and Definitions: Build America, Buy America Act | FEMA.gov](#).

#### **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 (TVPA)**

Trafficking in Persons:

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 of Award Management**

Requirements for System for Award Management and Unique Entity Identifier 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 (EHP) Review**

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

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. In order to initiate EHP review of your project(s), you must submit a detailed project description along with supporting documentation. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies.

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

#### **Article XLV - Applicability of DHS Standard Terms and Conditions to Tribes**

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

#### **Article XLVI - 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@fema.dhs.gov](mailto:ASK-GMD@fema.dhs.gov) if you have any questions.

#### **Article XLVII - Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state subrecipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state subrecipients must follow the disposition requirements in accordance with state laws and procedures.

#### **Article XLVIII - Prior Approval for Modification of Approved Budget**

Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308.

For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) 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 FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved.

For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work.

You must report any deviations from your 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 XLIX - Indirect Cost Rate**

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

#### **Article L - REVISED Cybersecurity Plan Pending Submission and Approval**

FEMA has placed a funding hold on **\$1,155,068** in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down these funds. To release this hold, the recipient is required to submit a Cybersecurity Plan for approval by CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@FEMA-DHS.gov](mailto:FEMA-SLCGP@FEMA-DHS.gov) to receive further guidance on the steps required for Cybersecurity Plan approval. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

#### **Article LI - REVISED Membership List Pending Submission and Approval**

FEMA has placed a funding hold on this award, and the amount of **\$1,155,069** is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down funds until the Committee Membership List is submitted and approved. To release this hold, the recipient is required to submit the Committee Membership List, and receive approval of the Membership List from CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@fema.dhs.gov](mailto:FEMA-SLCGP@fema.dhs.gov) to receive further guidance on the steps required to release this hold. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

**Obligating Document for Amendment**

1a. AGREEMENT NO. EMW-2022-CY-00088-S01	2. AMENDMENT NO. EMW-2022-CY-00088-A04	3. RECIPIENT NO. 036000264	4. TYPE OF ACTION AMENDMENT	5. CONTROL NO. WX00743N2023T
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 Christian Pedoty	PHONE NO. 8027600792	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 09/18/2023	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT Cost Reimbursement	14. PERFORMANCE PERIOD <b>From:</b> 12/01/2022 <b>To:</b> 11/30/2026 <b>Budget Period</b> 12/01/2022 11/30/2026	

## 15. DESCRIPTION OF ACTION

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

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
State and Local Cybersecurity Grant Program	97.137	2023-IF-PA11-P410- -4101-D	\$2,310,137.00	\$0.00	\$2,310,137.00	See Totals
<b>TOTALS</b>			<b>\$2,310,137.00</b>	<b>\$0.00</b>	<b>\$2,310,137.00</b>	<b>\$0.00</b>

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)

State and Local Cybersecurity 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 OR DESIGNEE (at the time of the Award) (Name and Title) Morrison, Jennifer Commissioner	SIGNATURE DATE 01/24/2023 15:18
18. FEMA SIGNATORY OFFICIAL (Name and Title) SHENAUZ SUBRINA WONG, Assistance Officer	DATE Mon Sep 18 20:16:21 UTC 2023

**U.S. Department of Homeland Security  
Washington, D.C. 20472  
GRANT AMENDMENT LETTER**

Vermont Department of Public Safety  
Christian Pedoty  
45 State Drive  
Waterbury, VT 05671 - 1300  
Re: Amendment #: EMW-2022-CY-00088-A05

Dear Christian Pedoty,

The amendment to change the award information for Fiscal Year (FY) 2022 State and Local Cybersecurity Grant Program (Award #: EMW-2022-CY-00088-S01) has been approved on 11/13/2023. The changes to the award information are listed below.

**Terms and Conditions Change:**

The following Term and Condition has been added to your award:

Partial Rescission of Funding Hold: Revised Cybersecurity Plan Pending Submission and Approval

A funding hold was placed on the award under the Agreement Article titled Funding Hold: Revised Cybersecurity Plan Pending Submission and Approval, and \$1,155,068 was on hold in the FEMA financial systems. The recipient has submitted, and CISA has approved, the Plan. As such, FEMA partially rescinds the hold and releases funds in the amount of \$462,028.

\$1,848,109 remains on hold until subsequent projects are approved.

The award information contained in this amendment supersedes award information listed in previous award packages and amendments. If you have any questions or concerns regarding your grant funds, please call 1-866-927-5646.

SHENAUZ SUBRINA WONG  
Assistance Officer

## Amendment Agreement Articles

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

**AGREEMENT ARTICLES**  
**State and Local Cybersecurity Grant Program**

**GRANTEE:** Vermont Department of Public Safety

**ORGANIZATION EIN:** 036000264

**ORGANIZATION DUNS:** 809376692

**ORGANIZATION UEI:** LALMDNWSYKT1

**ORGANIZATION TYPE:** State governments

**ORGANIZATION CONGRESSIONAL DISTRICT CODE:** VT-00

**ORGANIZATION PHYSICAL ADDRESS:** 45 State Drive  
Waterbury, VT 05671 - 1300

**ORGANIZATION MAILING ADDRESS:** 45 State Drive  
Waterbury, VT -

**PROGRAM:** State and Local Cybersecurity Grant Program

**SOLICITATION NAME:** Fiscal Year (FY) 2022 State and Local Cybersecurity Grant Program

**SOLICITATION YEAR:** 2022

**SOLICITATION DESCRIPTION:** A Cybersecurity Plan of an eligible entity shall --\r\n(A) incorporate, to the extent practicable --\r\n\r\n(i) any existing plans of the eligible entity to protect against cybersecurity risks and cybersecurity threats to information systems owned or operated by, or on behalf of, State, local, or Tribal governments; and\r\n\r\n(ii) if the eligible entity is a State, consultation and feedback from local governments and associations of local governments within the jurisdiction of the eligible entity;\r\n(B) describe, to the extent practicable, how the eligible entity will --\r\n\r\n(i) manage, monitor, and track information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, and the information technology deployed on those information systems, including legacy information systems and information technology that are no longer supported by the manufacturer of the systems or technology;\r\n\r\n(ii) monitor, audit, and, track network traffic and activity transiting or traveling to or from information systems, applications, and user accounts owned or operated by, or on behalf of, the

eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity;\r\n\r\n(iii) enhance the preparation, response, and resiliency of information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, against cybersecurity risks and cybersecurity threats;\r\n\r\n(iv) implement a process of continuous cybersecurity vulnerability assessments and threat mitigation practices prioritized by degree of risk to address cybersecurity risks and cybersecurity threats on information systems, applications, and user accounts owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity;\r\n\r\n(v) ensure that the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, adopt and use best practices and methodologies to enhance cybersecurity, such as --\r\n\r\n(I) the practices set forth in the cybersecurity framework developed by the National Institute of Standards and Technology;\r\n\r\n(II) cyber chain supply chain risk management best practices identified by the National Institute of Standards and Technology; and\r\n\r\n(III) knowledge bases of adversary tools and tactics;\r\n\r\n(vi) promote the delivery of safe, recognizable, and trustworthy online services by the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, including through the use of the .gov internet domain;\r\n\r\n(vii) ensure continuity of operations of the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, in the event of a cybersecurity incident, including by conducting exercises to practice responding to a cybersecurity incident;\r\n\r\n(viii) use the National Initiative for Cybersecurity Education Workforce Framework for Cybersecurity developed by the National Institute of Standards and Technology to identify and mitigate any gaps in the cybersecurity workforces of the eligible entity and, if the eligible entity is a State, local governments within the



jurisdiction of the eligible entity, enhance recruitment and retention efforts for those workforces, and bolster the knowledge, skills, and abilities of personnel of the eligible entity and, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, to address cybersecurity risks and cybersecurity threats, such as through cybersecurity hygiene training; \\\n` (ix) if the eligible entity is a State, ensure continuity of communications and data networks within the jurisdiction of the eligible entity between the eligible entity and local governments within the jurisdiction of the eligible entity in the event of an incident involving those communications or data networks; \\\n` (x) assess and mitigate, to the greatest degree possible, cybersecurity risks and cybersecurity threats relating to critical infrastructure and key resources, the degradation of which may impact the performance of information systems within the jurisdiction of the eligible entity; \\\n` (xi) enhance capabilities to share cyber threat indicators and related information between the eligible entity and -- \\\n` (I) if the eligible entity is a State, local governments within the jurisdiction of the eligible entity, including by expanding information sharing agreements with the Department; and \\\n` (II) the Department; \\\n` (xii) leverage cybersecurity services offered by the Department; \\\n` (xiii) implement an information technology and operational technology modernization cybersecurity review process that ensures alignment between information technology and operational technology cybersecurity objectives; \\\n` (xiv) develop and coordinate strategies to address cybersecurity risks and cybersecurity threats in consultation with -- \\\n` (I) if the eligible entity is a State, local governments and associations of local governments within the jurisdiction of the eligible entity; and \\\n` (II) as applicable -- \\\n` (aa) eligible entities that neighbor the jurisdiction of the eligible entity or, as appropriate, members of an information sharing and analysis organization; and \\\n` (bb) countries that neighbor the jurisdiction of the eligible entity; \\\n` (xv) ensure adequate access to, and participation in, the services and programs described in this subparagraph by rural areas within the

jurisdiction of the eligible entity; and  
(xvi) distribute funds, items, services, capabilities, or activities to local governments under subsection (n)(2)(A), including the fraction of that distribution the eligible entity plans to distribute to rural areas under subsection (n)(2)(B); (C) assess the capabilities of the eligible entity relating to the actions described in subparagraph (B); (D) describe, as appropriate and to the extent practicable, the individual responsibilities of the eligible entity and local governments within the jurisdiction of the eligible entity in implementing the plan; (E) outline, to the extent practicable, the necessary resources and a timeline for implementing the plan; and (F) describe the metrics the eligible entity will use to measure progress towards --  
(i) implementing the plan; and  
(ii) reducing cybersecurity risks to, and identifying, responding to, and recovering from cybersecurity threats to, information systems owned or operated by, or on behalf of, the eligible entity or, if the eligible entity is a State, local governments within the jurisdiction of the eligible entity.

**AMENDMENT NUMBER:**

EMW-2022-CY-00088-A05

**Name of the AO who signed the amendment**

SHENAUZ

WONG

**TABLE OF CONTENTS**

Article I - Summary Description of Award

Article II - SLCGP Performance Goal

Article III - DHS Standard Terms and Conditions Generally

Article IV - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

Article V - General Acknowledgements and Assurances

Article VI - Acknowledgement of Federal Funding from DHS

Article VII - Activities Conducted Abroad

Article VIII - Age Discrimination Act of 1975

Article IX - Americans with Disabilities Act of 1990

Article X - Best Practices for Collection and Use of Personally Identifiable Information

Article XI - Civil Rights Act of 1964 - Title VI

Article XII - Civil Rights Act of 1968

Article XIII - Copyright

Article XIV - Debarment and Suspension

Article XV - Drug-Free Workplace Regulations

Article XVI - Duplication of Benefits

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

Article XVIII - Energy Policy and Conservation Act

Article XIX - False Claims Act and Program Fraud Civil Remedies

Article XX - Federal Debt Status

Article XXI - Federal Leadership on Reducing Text Messaging while Driving

Article XXII - Fly America Act of 1974

Article XXIII - Hotel and Motel Fire Safety Act of 1990

Article XXIV - John S. McCain National Defense Authorization Act of Fiscal Year 2019

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

Article XXVI - Lobbying Prohibitions

Article XXVII - National Environmental Policy Act

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

Article XXIX - Non-Supplanting Requirement

Article XXX - Notice of Funding Opportunity Requirements

Article XXXI - Patents and Intellectual Property Rights

Article XXXII - Procurement of Recovered Materials

Article XXXIII - Rehabilitation Act of 1973

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

Article XXXV - Reporting Subawards and Executive Compensation

Article XXXVI - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Article XXXVII - SAFECOM

Article XXXVIII - Terrorist Financing

Article XXXIX - Trafficking Victims Protection Act of 2000 (TVPA)

Article XL - Universal Identifier and System of Award Management

Article XLI - USA PATRIOT Act of 2001

Article XLII - Use of DHS Seal, Logo and Flags

Article XLIII - Whistleblower Protection Act

Article XLIV - Environmental Planning and Historic Preservation (EHP) Review

Article XLV - Applicability of DHS Standard Terms and Conditions to Tribes

Article XLVI - Acceptance of Post Award Changes

Article XLVII - Disposition of Equipment Acquired Under the Federal Award

Article XLVIII - Prior Approval for Modification of Approved Budget

Article XLIX - Indirect Cost Rate

Article L - REVISED Cybersecurity Plan Pending Submission and Approval

Article LI - REVISED Membership List Pending Submission and Approval

Article LII - Partial Rescission of Funding Hold: Revised Cybersecurity Plan Pending Submission and Approval

### **Article I - Summary Description of Award**

The purpose of the Fiscal Year 2022 State and Local Cybersecurity Grant Program (SLCGP) is to assist state, local, and territorial (SLT) governments with managing and reducing systemic cyber risk. Through funding from the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, the SLCGP enables DHS to make targeted cybersecurity investments in SLT government agencies, thus improving the security of critical infrastructure and improving the resilience of the services SLT governments provide their community. This SLCGP award provides funding in the amount of: \$2,310,137 for the state of Vermont. Of this amount, up to \$115,506 can be retained by the State Administrative Agency (SAA) for management and administrative expenses, and a total of \$256,682 is the required cost share.

The terms of the approved Investment Justification(s) and Budget Detail Worksheet(s) submitted by the recipient are incorporated into the terms of this Federal award, subject to the additional description and limitations stated in this Agreement Article and the limitations stated in subsequent reviews by FEMA and CISA of the award budget. Post-award documents uploaded into ND Grants for this award are also incorporated into the terms and conditions of this award, subject to any limitations stated in subsequent approvals by FEMA and CISA of changes to the award. Investments not listed in this Agreement Article are not approved for funding under this award.

## **Article II - SLCGP Performance Goal**

In addition to the Performance Progress Report (PPR) submission requirements due January 30, outlined in NOFO Appendix A-11, recipients must demonstrate how the grant-funded projects address the capability gaps identified in their Cybersecurity Plan or other relevant documentation or sustains existing capabilities per the CISA-approved Investment Justification. The capability gap reduction or capability sustainment must be addressed in the PPR, Section 10. Performance Narrative.

## **Article III - DHS Standard Terms and Conditions Generally**

The Fiscal Year (FY) 2022 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2022. These terms and conditions flow down to subrecipients unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations.

All legislation and digital resources are referenced with no digital links. The FY 2022 DHS Standard Terms and Conditions will be housed on dhs.gov at [www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions](http://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions).

## **Article IV - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. 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 as instructed by the awarding agency.

II. 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.

III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. section 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

## **Article V - General 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.

I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS.

II. Recipients must give DHS access 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 or personnel.

III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.

IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance.

V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto: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>.

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

#### **Article VI - 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 VII - Activities Conducted Abroad**

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

#### **Article VIII - Age Discrimination Act of 1975**

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 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 IX - 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. 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 X - Best Practices for Collection and Use of Personally Identifiable Information**

Recipients who collect personally identifiable information (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 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 XI - 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 XII - Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 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 XIII - 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 XIV - 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 3002. 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 XV - 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 XVI - 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 XVII - 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. 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 XVIII - Energy Policy and Conservation Act**

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 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 XIX - 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 prohibit 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 XX - 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 XXI - 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 XXII - 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.) 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 XXIII - Hotel and Motel Fire Safety Act of 1990**

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 Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a.

## **Article XXIV - John S. McCain National Defense Authorization Act of Fiscal Year 2019**

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

## **Article XXV - Limited English Proficiency (Civil Rights Act of 1964 - Title VI)**

Recipients must comply with 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 XXVI - 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 XXVII - National Environmental Policy Act**

Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require 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 XXVIII - 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 XXIX - 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 XXX - Notice of Funding Opportunity Requirements**

All 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 XXXI - Patents and Intellectual Property Rights**

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq, unless otherwise provided by law. 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 XXXII - 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. 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 XXXIII - Rehabilitation Act of 1973**

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 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 XXXIV - Reporting of Matters Related to Recipient Integrity and Performance**

General Reporting Requirements:

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 XXXV - Reporting Subawards and Executive Compensation**

Reporting of first tier subawards:

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 XXXVI - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**

Recipients and subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act Sections 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also Office of Management and Budget (OMB), Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

Recipients and subrecipients of federal financial assistance programs for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- (2) all manufactured products used in the project are produced in the United States--this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- (3) all construction materials are manufactured in the United States--this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

## *Waivers*

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements.

(a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:

- (1) applying the domestic content procurement preference would be inconsistent with the public interest;
- (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
- (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the OMB Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described. For awards by the Federal Emergency Management Agency (FEMA), existing waivers are available and the waiver process is described at ["Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov](#). For awards by other DHS components, please contact the applicable DHS FAO.

To see whether a particular DHS federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please either contact the applicable DHS FAO, or for FEMA awards, please see [Programs and Definitions: Build America, Buy America Act | FEMA.gov](#).

### **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 (TVPA)**

Trafficking in Persons:

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 of Award Management**

Requirements for System for Award Management and Unique Entity Identifier 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 (EHP) Review**

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

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. In order to initiate EHP review of your project(s), you must submit a detailed project description along with supporting documentation. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies.

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

### **Article XLV - Applicability of DHS Standard Terms and Conditions to Tribes**

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

### **Article XLVI - 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@fema.dhs.gov](mailto:ASK-GMD@fema.dhs.gov) if you have any questions.

### **Article XLVII - Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state subrecipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state subrecipients must follow the disposition requirements in accordance with state laws and procedures.

### **Article XLVIII - Prior Approval for Modification of Approved Budget**

Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308.

For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) 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 FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved.

For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work.

You must report any deviations from your 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 XLIX - Indirect Cost Rate**

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

#### **Article L - REVISED Cybersecurity Plan Pending Submission and Approval**

FEMA has placed a funding hold on **\$1,155,068** in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down these funds. To release this hold, the recipient is required to submit a Cybersecurity Plan for approval by CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@FEMA-DHS.gov](mailto:FEMA-SLCGP@FEMA-DHS.gov) to receive further guidance on the steps required for Cybersecurity Plan approval. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

#### **Article LI - REVISED Membership List Pending Submission and Approval**

FEMA has placed a funding hold on this award, and the amount of **\$1,155,069** is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down funds until the Committee Membership List is submitted and approved. To release this hold, the recipient is required to submit the Committee Membership List, and receive approval of the Membership List from CISA. Please contact CISA at [SLCGPInfo@cisa.dhs.gov](mailto:SLCGPInfo@cisa.dhs.gov) or [FEMA-SLCGP@fema.dhs.gov](mailto:FEMA-SLCGP@fema.dhs.gov) to receive further guidance on the steps required to release this hold. If you have questions about this funding hold or believe it was placed in error, please contact your FEMA GPD Headquarters Preparedness Officer.

#### **Article LII - Partial Rescission of Funding Hold: Revised Cybersecurity Plan Pending Submission and Approval**

A funding hold was placed on the award under the Agreement Article titled Funding Hold: Revised Cybersecurity Plan Pending Submission and Approval, and \$1,155,068 was on hold in the FEMA financial systems. The recipient has submitted, and CISA has approved, the Plan. As such, FEMA partially rescinds the hold and releases funds in the amount of \$462,028.

\$1,848,109 remains on hold until subsequent projects are approved.

**Obligating Document for Amendment**

1a. AGREEMENT NO. EMW-2022-CY-00088-S01	2. AMENDMENT NO. EMW-2022-CY-00088-A05	3. RECIPIENT NO. 036000264	4. TYPE OF ACTION AMENDMENT	5. CONTROL NO. WX00743N2023T		
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 Christian Pedoty	PHONE NO. 8027600792	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 11/13/2023	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT Cost Reimbursement	14. PERFORMANCE PERIOD <b>From:</b> 12/01/2022 <b>To:</b> 11/30/2026 <b>Budget Period</b> 12/01/2022 11/30/2026			
15. DESCRIPTION OF ACTION a. (Indicate funding data for awards or financial changes)						
PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
State and Local Cybersecurity Grant Program	97.137	2023-IF-PA11-P410- -4101-D	\$2,310,137.00	\$0.00	\$2,310,137.00	See Totals
<b>TOTALS</b>			<b>\$2,310,137.00</b>	<b>\$0.00</b>	<b>\$2,310,137.00</b>	<b>\$0.00</b>
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) State and Local Cybersecurity 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 OR DESIGNEE (at the time of the Award) (Name and Title) Morrison, Jennifer Commissioner						SIGNATURE DATE 01/24/2023 15:18
18. FEMA SIGNATORY OFFICIAL (Name and Title) SHENAUZ SUBRINA WONG, Assistance Officer						DATE Mon Nov 13 19:12:38 GMT 2023