



FEMA

**Grant Programs Directorate Information Bulletin
No. 485**

MEMORANDUM FOR: All State Administrative Agency Heads
All State Administrative Agency Points of Contact
All Urban Area Security Initiative Points of Contact
All State Homeland Security Directors
All State Emergency Management Agency Directors

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A handwritten signature in blue ink that reads "P.S. Williams".

SUBJECT: Fiscal Year 2023 Law Enforcement Terrorism Prevention Activity Supplemental Guidance to the Homeland Security Grant Program Notice of Funding Opportunity

I. Purpose

This Information Bulletin (IB) serves to provide additional clarity to the Law Enforcement Terrorism Prevention Activity (LETPA) requirements in the Fiscal Year (FY) 2023 Homeland Security Grant Program (HSGP) Notice of Funding Opportunity (NOFO). Specifically, this IB provides applicants and recipients further direction on how to account for LETPA activities, best practices for submitting investment justifications for LETPA, as well as information on how to distinguish LETPA from other activities.

For FY 2023, the U.S. Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) require that at least 35% of grant funding under the State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) is used for LETPA. This required LETPA allocation can be from SHSP, UASI, or both. As per the FY 2023 HSGP NOFO, the 35% LETPA allocation may be met by funding projects in any combination of the six National Priority Areas and any other investments.

II. Applicability

This IB is applicable to the [FY 2023 HSGP NOFO](#), specifically Section C.3.c. It does not apply to earlier grants.

III. Guidance

- A. Law Enforcement Terrorism Prevention.** Allowable expenditures that can be counted towards the LETPA requirement can be found in the authorizing legislation,
- B.** the [Preparedness Grants Manual \(Appendix A\)](#), [Grant Programs Directorate Information Bulletin \(IB\) No. 473 Supplemental Guidance for Law Enforcement Terrorism Prevention Activity Expenditures \(fema.gov\)](#), the [National Prevention Framework](#), and where capabilities are shared with the protection mission area ([National Protection Framework](#)).
- C.** For an activity to be counted towards the LETPA requirement, it must have a law enforcement terrorism prevention nexus. If an activity is listed in the authorizing legislation or can be directly tied to a capability in the National Prevention Framework or a shared capability in the National Protection Framework, then it is presumed to have a law enforcement terrorism prevention nexus and be a LETPA. For all other claimed activities, recipients must clearly explain the nexus to law enforcement terrorism prevention.

Statutory List of LETPA
Information sharing and analysis
Target hardening
Threat recognition
Terrorist interdiction
Training exercises to enhance preparedness for and response to mass casualty and active shooter incidents and security events at public locations, including airports and mass transit systems
Overtime expenses consistent with a State homeland security plan, including for the provision of enhanced law enforcement operations in support of Federal agencies, including for increase border security and border crossing enforcement
Establishing, enhancing, and staffing with appropriately qualified personnel State, local, and regional fusion centers that comply with the guidelines established under section 210A(i)
Paying salaries and benefits for personnel, including individuals employed by the grant recipient on the date of the relevant grant application, to serve as qualified intelligence analyst

D. Project Descriptions and Investment Justification. For activities presumed to be LETPA, the project description and investment justification must include a clear reference to the statutory list of allowable activities, or the core capabilities being addressed in the National Prevention or Protection Frameworks.

For all other activities not presumed to be LETPA, the project description and investment justification should reference other guidance documents to support categorization of the activity as LETPA (e.g., this IB, IB No. 473, Preparedness Grants Manual, etc.). Additionally, the project description must clearly explain how the activity has a law enforcement terrorism prevention nexus.

Inclusion of this information is critical to properly account for LETPA claimed expenditures and ensure compliance with minimum spend requirements.

Examples are provided below:

- i. Example for Statutory List: “Upgrade the region’s fusion center’s ability to fully integrate threat data, both from localities and Federal databases, as a means for law enforcement to detect and deter terroristic threats faster. Providing the fusion center with comprehensive dashboards and security metrics will support the sharing and accessibility of intelligence and information. This project can be claimed as LETPA under statutory authority because activities related to information sharing and analysis, as well as enhancing state, local, and regional fusion centers are listed as allowable activities in the Homeland Security Act of 2002, as amended.”
- ii. Example for Core Capability Being Addressed in the National Prevention or Protection Frameworks: “This project will close a gap in the team’s ability to safely detect and identify chemical, biological, nuclear, and explosive (CBRNE) devices, specifically chemical and nuclear. The gaps have been identified through capability assessments and recent stabilization training with the FBI, state, and local agencies. Funds will enable the purchase of equipment to enhance x-ray capabilities, allowing easier, more efficient penetration of suspect materials. This project can be claimed as LETPA as it addresses the core capability of “Screening, Search, and Detection” within the National Prevention Framework. Specifically, it addresses the critical task articulated in the framework of “conducting CBRNE surveillance search and detection operations”.
- iii. Example for all other LETPA Expenditures: “Purchase of personal protective equipment (PPE) for a police department’s bomb squad. This activity meets HSGP’s LETPA requirement because PPE is on the list of allowable equipment articulated in Information Bulletin 485 and the Fiscal Year 2007 Law Enforcement Terrorism Prevention Program Guidance. The PPE being purchased here has a law enforcement terrorism prevention

nexus as it will be used by law enforcement officers for anti-terrorism activities such as defusing explosive devices.”

E. Equipment. Allowable equipment categories are listed below. For equipment to be claimed as LETPA, it must both fall under one of these equipment categories and have a clear law enforcement terrorism prevention nexus. For example, Personal Protective Equipment (PPE) is listed as an allowable equipment category, but PPE alone is not sufficient to be claimed as LETPA. PPE acquired for firefighters for traditional fire response would not be an LETPA expenditure because it lacks the nexus to law enforcement terrorism prevention; however, PPE for a law enforcement or fire department’s bomb squad would be a LETPA expenditure given its nexus to law enforcement terrorism prevention.

Allowable LETPA Equipment Categories
Personal Protective Equipment
Explosive Device Mitigation and Remediation Equipment
CBRNE Operational Search and Rescue Equipment
Information Technology
Cyber Security Enhancement Equipment
Interoperable Communications Equipment
Detection Equipment
Power Equipment
CBRNE Reference Materials
CBRNE incident Response Vehicles
Terrorism Incident Prevention Equipment
Physical Security Enhancement Equipment
Inspection and Screening Systems
CBRNE Response Watercraft
CBRNE Logistical Support Equipment
Intervention Equipment

F. Training and Exercises. Training and exercises can be claimed as LETPA expenditures if they have a nexus to law enforcement terrorism prevention.

Allowable costs include training courses directly related to activities that are presumed to be LETPA as articulated above and those that focus on:

- Building information sharing capacities (especially among law enforcement, non-law enforcement, other government agencies, and the private sector);
- Methods of target hardening;
- Facility law enforcement security personnel, to include facilities, vessels, and ports;
- Chemical, biological, radiological, and nuclear defense (CBRNE), agriculture, and cyber threats;
- History of terrorism and social environments contributing to threats;

- Surveillance and counter-surveillance techniques;
- Critical Infrastructure Protection training, to include identifying/assessing critical infrastructure assets, vulnerabilities, and threats;
- Cyber/agriculture/food security threats recognition and protective measures training;
- Multi-cultural training for undercover operations related to terrorist organizations;
- Joint training with other homeland security entities (e.g., U.S. Secret Service, U.S. Customs and Border Protection);
- Use of interoperable communications equipment;
- Collection, analysis, mapping, integration, and dissemination of geospatial data and imagery;
- Geospatial database use, design, development, and management training; and,
- Citizens in terrorism awareness and for volunteer participation to support law enforcement activities, to include the Volunteers in Police Service and Neighborhood Watch programs

Exercises to enhance preparedness for and response to mass casualty and active shooter incidents and security events at public locations, including airports and mass transit systems are LETPA expenditures pursuant to the law. Additionally, allowable costs include exercises directly related to activities that are presumed to be LETPA as articulated above. Beyond that, LETPA funds may be used to design, develop, conduct, and evaluate terrorism prevention-related exercises, including the following:

- Exercises to evaluate the effectiveness of information sharing plans, policies, procedures, and protocols;
- Exercises to evaluate NIMS implementation;
- Exercises to evaluate facility and/or vessel security protection;
- Exercises to evaluate area maritime security protection;
- Exercises to evaluate threat recognition capabilities;
- Exercises to evaluate cyber security capabilities;
- Exercises to evaluate agricultural/food security capabilities;
- Exercises to evaluate prevention readiness and techniques;
- Interoperable communications exercises; and,
- Critical infrastructure vulnerability, protection, and/or attack exercises

G. Multidiscipline Activities. Recipients often submit project plans that include investments for multiple disciplines, such as fire departments, emergency medical services, law enforcement agencies, emergency management agencies, resiliency officers, etc. These disciplines are responsible for the full spectrum of the National Preparedness System: prevention, protection, mitigation, response, and recovery. Their coordination and collaboration are critical to national preparedness and investment in cross-cutting capabilities and is not only

encouraged but is consistent with the legislative intent of the Homeland Security Grant Program.

Accounting for LETPA expenditures with multidiscipline activities can be challenging. To claim the entire project as an LETPA expenditure could overstate an investment in the prevention mission space, but to claim none of the expenditure as LETPA could lead to the opposite effect. To ensure that prevention and protection activities are properly accounted for in LETPA claimed expenditures, DHS will be implementing new accounting principles. Activities presumed to have a law enforcement terrorism prevention nexus – i.e., the activity is listed in the authorizing legislation or that can be directly tied to a capability in the National Prevention Framework or a shared capability in the National Protection Framework – can claim 100% of the activity as LETPA even if there are multiple disciplines involved. For all other activities that include funding for law enforcement and one or more other disciplines, up to 50% of the project total can be claimed as LETPA for any project. Three examples of multi-discipline activities where up to 50% of the project total can be claimed as LETPA are listed below:

- i. Training event on the use of interoperable communications equipment that involves law enforcement, emergency management, emergency medical services, and fire services.
- ii. Enhancing and upgrading Geographic Information System (GIS) to support the EOC Operations of the fire service, law enforcement, emergency management, water, waste management and other key agencies.
- iii. Purchasing of emergency communications equipment for region's first responders.

IV. Questions

Questions regarding this IB may be directed to your assigned FEMA Preparedness Officer or the Centralized Scheduling and Information Desk (CSID) at askcsid@fema.dhs.gov or (800) 368-6498, Monday through Friday, 9 a.m. – 5 p.m. ET.

V. Review Date

This IB will be reviewed and updated as needed.