



January 23, 2020

Dear State Government Affairs Professionals, JCRC Directors, Security Directors and Other Interested Parties:

On or about February 14th, the FY 2020 NSGP program will commence. The following are details we know about the Notice of Funding Opportunity:

- It is expected that maximum awards will remain at \$100 thousand.
- It is expected that categories of approved costs for physical security, planning training, exercises and contracted security personnel will remain unchanged.
- It is expected that scoring will largely remain unchanged, however the number of bonus points for first-time grant recipients is expected to be adjusted downward by half (5-points).

Below is additional guidance on System for Award Management (SAM) registration.

Reminders:

- All application guidance materials are archived for your convenience at:
<https://jfnacommunications.fedwebpreview.org/dhs-security-grant-program>
- For **NY-based organizations**, reach out to David Pollock, Associate Executive Director, and Director of Public Policy & Security, JCRC of New York, on all matters pertaining to the NSGP application process at: pollockd@jrcny.org <http://www.jrcny.org/security>.
- For organizations seeking guidance and assistance pertaining to **vulnerability assessments and general security consulting**, contact the Secure Community Network (SCN) at:
dutydesk@securecommunitynetwork.org or by phone 844.SCN.DESK.
- For organizations seeking guidance on potential **planning, training or exercise investments**, contact SCN at: Training Desk via email at training@securecommunitynetwork.org.

Announcements:

- Nest week, I will provide additional guidance on satisfying the **identification and substantiation of threat** requirement, as well as in preparing for the post-award **Environmental Planning and Historic Preservation Compliance** requirement.
- **Shortly, JFNA and SCN will announce a save the date with instructions for our upcoming joint webinar on NSGP application guidance and best practices. Stay tuned.**

System for Award Management (SAM) registration

DHS/FEMA requires nonprofit applicants to provide a DUNS number, but not registration with SAMs. **However, some states may require a SAMs registration, and if so, nonprofits located in those states applying for NSGP will need to register as a matter of state law.** The following is additional guidance provided by FEMA on the matter:

FEMA does not require State administrative Agencies (SAAs) to ensure their subrecipients are registered with SAM.gov. FEMA only requires direct recipients to be registered in SAM. The SAA is required to register, but this requirement is not passed down through the SAA to subrecipients (nonprofits).

Unfortunately, the Code of Federal Regulations (CFR) is often misunderstood or misinterpreted and some direct recipients (SAAs) impose this requirement on their subrecipients (nonprofits), believing that they must do that to remain compliant with FEMA requirements. This is not correct.

Bottom line: First-tier subrecipients (nonprofits) applying through the recipient must have a DUNS number, but they **are not required to register in SAM.**

From FEMA Counsel: 2 C.F.R. § 25.200(b) requires Federal agencies to require applicants to be registered in SAM, maintain an active SAM account with current information, and provide its unique entity identifier. The SAM registration requirement **only applies to the recipient and NOT to the subrecipients.** This is further supported by 2 C.F.R. § 25.205 regarding the effects of noncompliance to obtain a unique entity identifier or register in SAM. **That section only discusses actions for noncompliance of the recipient, not subrecipients.**

Conclusion: If an SAA seeks to impose a SAMs registration requirement on a nonprofit subrecipient that subrecipient should seek to clarify with the SAA whether this request is based on a State's requirement or is being misapplied as a misinterpretation of Federal regulations. **If the latter, the nonprofit subrecipient should forward this prepared guidance to the SAA as a remedy and if that does not satisfy the SAA, the nonprofit should contact Rob Goldberg at rob.goldberg@jfna.org for further assistance.**