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TTY USERS CALL VIA MD RELAY

September 5, 2012

Mr. David Rocah
ACLU-MD
3600 Clipper Mill Road, Suite 350
Baltimore, MD 21211

Dear Mr. Rocah,

The letter responds to your recent Maryland Public Information Act request for information concerning license plate readers. I understand that you had a conversation with Ronald Levitan, who is coordinating the response of law enforcement agencies in the State, and that you have agreed to accept documents in stages, with the first stage consisting of "architectural documents" that describe the LPR program and provide basic statistics concerning the number of LPRs deployed, the amount of data accumulated, and the funding for the program.

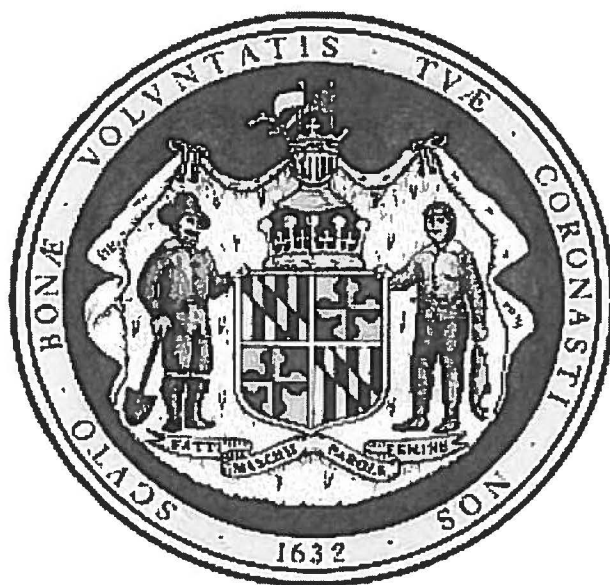
Enclosed herein are the architectural documents that the Governor's Office of Homeland Security is providing as the first stage of its response. Please note that I have reviewed the responses provided by other agencies and have endeavored to avoid unnecessary duplication. After reviewing the first set of materials, I understand that you will contact Ronald Levitan to discuss what other requested documents the ACLU wishes to prioritize.

You are entitled to judicial review of this response pursuant to §10-623 of the Public Information Act.

Regards,


Eric J. Beane
Deputy Legal Counsel

**STATE OF MARYLAND
AUTOMATED LICENSE PLATE READER TECHNOLOGY
SECURITY INTEGRATION STRATEGY**



GOVERNOR MARTIN O'MALLEY

JULY 2010



Governor O'Malley announces record reductions in crime.

Working together, last year we drove violent crime (and overall crime) to the lowest rates in Maryland since we began tracking in 1975.

Working together, last year we reduced homicides by 12%, driving homicides down to the lowest rate since 1975. This completed our largest three year reduction in homicides since the seventies.

What's more, in three years we've reduced juvenile homicides across our State by 46%.

***- Governor Martin O'Malley
Address to Maryland Chiefs of Police Association
June 16, 2010***

With a rejuvenated focus on information-sharing, Maryland's public safety agencies are implementing Governor Martin O'Malley's security integration vision. Security integration requires a commitment to share information constantly and for all State, regional, and local agencies to assess the data and databases they maintain and to work as a system, not as separate information silos. This seamless integration of information for law enforcement is a critical component of the Governor's goal of reducing crime by 10 percent by 2012 and complements the State's five overall crime reduction strategies.

Security Integration Strategies in Action

The cornerstone of Maryland's Security Integration strategy has been the Law Enforcement Dashboard, a central web-based portal that gives police officers and other public safety officers access to over 90 separate databases. Launched in February 2009, the Dashboard is a "one stop shop" for information that enables officers to access Maryland criminal history information, Division of Parole and Probation records, Department of Correction records, Motor Vehicle Administration information, court information, offender photographs, sex offender data, gun registration information and much more. Recently, Maryland criminal justice partners in Washington, DC and Virginia were invited to participate in the Dashboard.

The CompStat-On-Demand initiative allows law enforcement agencies throughout Maryland to receive free training, organizational assessments, and technical assistance. This support has resulted in practical recommendations for enhancing CompStat and other data-driven law enforcement initiatives to increase accountability, control, and proactive data analysis.

Crime Mapping is a sub-set of CompStat-On-Demand that supports crime analysis and involves the depiction of the spatial and chronological aspects of crime. Maryland's Crime Mapping-On-Demand initiative was recently recognized as a nationwide best practice. The Governor's Office of Crime Control and Prevention provided grant funding to Washington College to help police departments in Maryland develop crime maps.

Governor O'Malley quickly eliminated a backlog of 24,000 DNA samples that had been collected from convicted offenders. These samples were analyzed and entered into the FBI's Combined DNA Index System. Since 2007, more than 255 offenders – including

murderers, rapists and robbers - have been arrested as a result of the Governor's backlog reduction. The value of logging DNA samples is evidenced by the 26% increase since 2009 of Maryland DNA matches or "hits" to the FBI database.

Maryland's Five Crime Fighting Strategies

Strategy 1- Enhance warrant service to swiftly remove violent offenders from the streets

Strategy 2- Ensure DNA is utilized at its fullest capacity to convict the guilty and exonerate the innocent

Strategy 3- Attack illegal gun use and possession

Strategy 4- Identify high risk offenders and hold them accountable

Strategy 5- Modernize crime fighting and information sharing through the use of the best 21st century technology available.

Maryland has made a strong commitment to serving open warrants and removing violent offenders from the streets. With the help of nearly \$1 million in grant funds, 15 law enforcement agencies are working together to serve open warrants for persons who are most likely to engage in future violent crimes.

Total Crime at Lowest Levels Since 1975

Governor O'Malley's crime reduction strategies have produced dramatic reductions in crime across the state. To date, Maryland has the lowest homicide and violent crime numbers in 25 years and vehicle theft rates are the lowest they've been since 1984.

Reductions in Crime from 2006 through 2009

Violent Crime

Murder

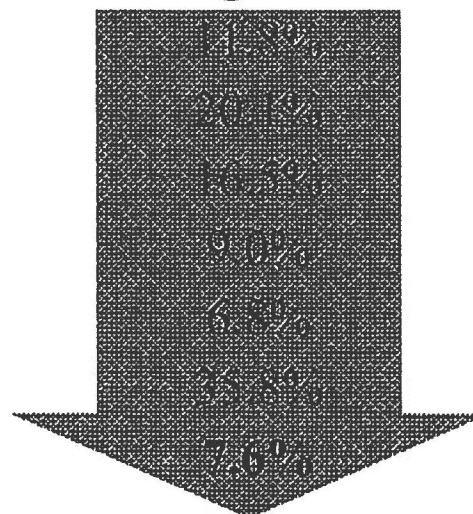
Robbery

Aggravated Assault

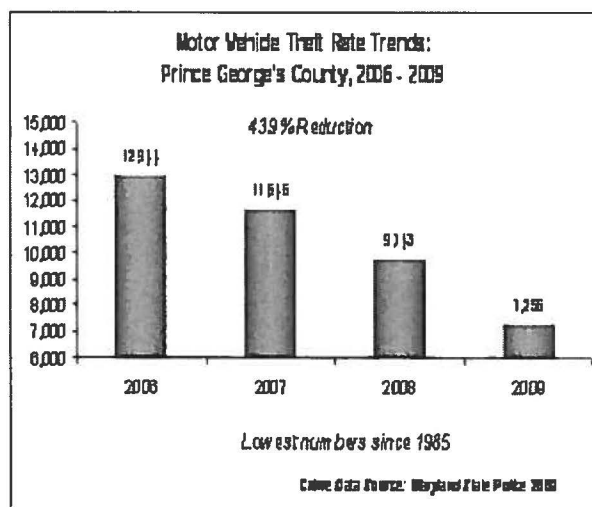
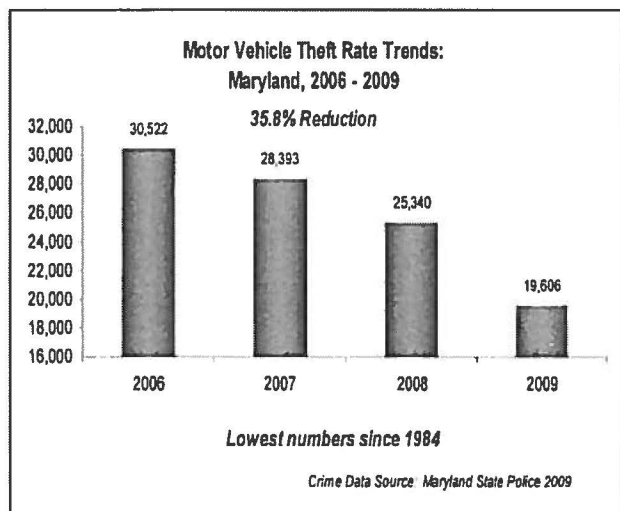
Property Crime

Vehicle Theft

Total Crime



Governor O'Malley's security integration vision is dramatically reducing vehicle theft statewide. As shown in the following graph, from 2006 to 2009, vehicle theft in Maryland decreased by 36 percent. This is the lowest auto theft rate that Maryland has experienced since 1975 when the State began annually reporting its statewide crime data to the FBI. Jurisdictions such as Prince Georges County and Baltimore County are two great examples of success of security integration. Vehicle theft has decreased by 43.9 percent in Prince George's County and decreased by 29.5 percent in Baltimore County.



Cutting-Edge Crime Fighting with License Plate Recognition Technology

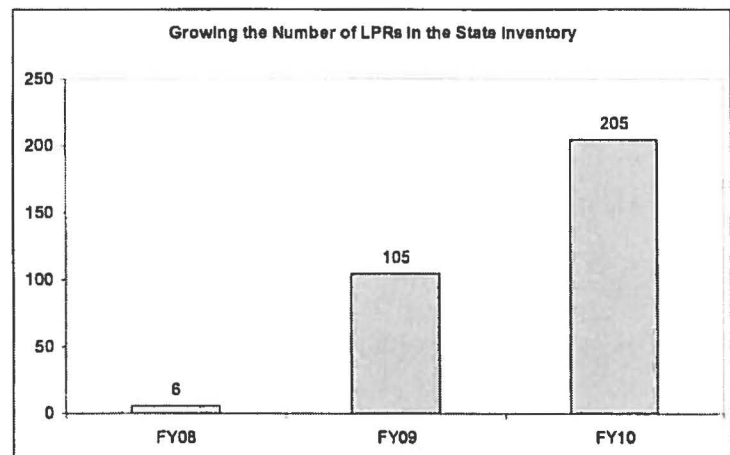
Expanding License Plate Recognition Technology

In 2007, under the direction of Governor Martin O'Malley and in response to an overwhelming number of requests for License Plate Recognition (LPR) technology from state and local law enforcement agencies, the Governor's Office of Crime Control and Prevention (GOCCP) and the Governor's Office of Homeland Security (GOHS) made it a priority to provide funding to law enforcement agencies that embrace this technology.

In the last three and a half years, the State has directed \$2 million to state and local law enforcement for new LPRs adding 105 LPRs to the State's inventory. In the next 12 months, the State will direct up to \$2 million in previously identified grants funds to fund the purchase of 100 additional LPRs.

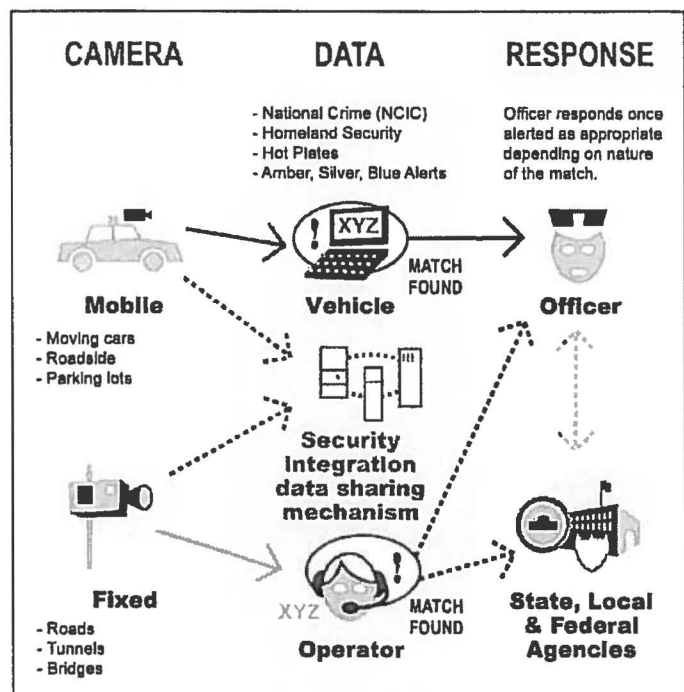
What are LPRs?

License Plate Recognition systems are cameras that convert a picture of a vehicle's license plate into computer readable data that can be matched against stolen vehicles or wanted persons databases. As cars pass by the LPR, the camera snaps a picture, converts it to data and then compares it against stolen car and other databases. When a match occurs, the system alerts a law enforcement officer so that prompt action can be taken.



For years, LPRs have been regarded as effective tools for deterring auto theft, recovering stolen vehicles, and apprehending car thieves. Although LPRs are often viewed as primarily a tool for stolen vehicle identification and enforcement, LPRs can help law enforcement agencies improve public safety in a variety of ways.

For example, LPRs also play a vital role in homeland security, protecting critical infrastructure and being paired with companion technology such as CCTV to secure vital areas such as airports, ports, and transit stations. LPR technology has figured prominently in the prevention and investigation of terrorist incidents nationwide, including the recent attempted attack on Times Square, and comprises a key component of state of the art technology-based defense systems.



LPR Success Stories



Police officers were alerted to a stolen plate by LPR. A search conducted in conjunction with the arrest led to the recovery of a stolen handgun. Further investigation revealed that the gun and the vehicle had been used in a homicide in another jurisdiction, and that the driver of the vehicle was a suspect in a robbery where a store clerk was shot. The driver had an extensive criminal history including firearms offenses, robbery, assault, reckless endangerment, theft and criminal conspiracy.



An LPR unit alerted officers to a vehicle with suspended registration. Further investigation led to the recovery of a handgun, narcotics, and over \$4,000. The driver of the vehicle had a lengthy criminal record that includes being a felon in possession of a handgun, possession with intent to distribute a controlled dangerous substance, assault, intimidation of a juror, reckless endangerment, and burglary.



An LPR alerted police to a vehicle whose registered owner was wanted on five felony warrants. The owner/operator was arrested warrants for forgery, false pretenses, and various check related offenses.



An LPR unit alerted police to a vehicle that was the subject of a carjacking. Officers arrested four

occupant suspects who were charged with carjacking and subsequently linked to another stolen car. Two of the suspects were on probation for robbery.



An LPR unit detected a stolen vehicle. The driver had an extensive criminal history for offenses including distribution of heroin, distribution of cocaine, attempted robbery, and auto theft.



In a single day, LPRs in use by the Maryland Transportation Authority Police were responsible for the recovery of almost \$50,000 in scofflaw fees for toll tag violations.



An LPR unit led investigators to a vehicle connected to a member of a violent prison gang, Dead Man Incorporated, who was wanted for violation of probation on an underlying narcotics charge. The suspect was also wanted in Florida for violation of probation and had another outstanding warrant for burglary.



An LPR unit identified a vehicle stolen in Florida as it was traveling through Maryland. When police stopped the vehicle, they discovered approximately 17 pounds of marijuana.

Maryland's License Plate Recognition Security Integration Plan

Given the positive results from LPR technology already in use across the State and the nation, Maryland has developed the following three-point plan to expand and leverage this tool to achieve even greater results and better serve local crime fighting missions in addition to Maryland's homeland security mission.

Maryland's Three-Point Plan For License Plate Readers	
1. Add up to 100 LPRs <u>acrossthe</u> the State <u>to complement the</u> 's <u>Current Inventory of 105 new</u> LPRs <u>already added in the last three and a half years.</u>	• Strategically deploy up to 100 additional LPRs across the state over the next 12 months. • Geo-strategically deploy LPRs to areas with high auto theft rates, known drug trafficking routes, high traffic density locations, and other critical infrastructure nodes including major transit hubs, the Port of Baltimore, and BWI Airport.
2. Create a robust information technology infrastructure to network state and local LPRs.	• Electronically link all existing and future LPRs utilized by state and local law enforcement to provide pivotal support during the critical incidents such as the abduction of a child and subsequent search for a suspect vehicle.
3. Develop a single, easy-to-use database for state and local law enforcement to query specific LPR data supported by Maryland's fusion center.	• Develop a memorandum of understanding between state and local partner agencies so that verified LPR data can be securely accessed by all law enforcement agencies with a legitimate need for access. • Develop partnerships between state and local agencies deploying LPR technology in order to share relevant information.

The State's goals for an expanded LPR program include:

- Enhance the State's Amber Alert and real-time response capability by deploying and networking LPRs across the state to more rapidly identify and locate vehicles related to potential child-abduction crimes.
- Alert law enforcement that a particular license plate on a "hot list"—e.g., a stolen vehicle or a wanted person—is in close proximity to an LPR to dramatically reduce the recovery time of stolen vehicles by strategically deploying LPRs in high-density auto-theft areas and assist in locating dangerous and wanted persons.
- Support Maryland's homeland security mission by protecting critical infrastructure from those individuals potentially intending to damage or disrupt the systems and locations that allow for travel and the free flow of commerce.
- Identify vehicles linked to drivers with expired licenses, expired tags, or unpaid fines.

Effective Integration and Implementation

In support of the broad initiatives identified above, the Governor has directed the following actions to be completed in the short term to make Maryland safer and more secure:

1. **Appoint an Advisory Committee on LPRs.** The Governor will appoint an Advisory Committee, which will report to him directly on a quarterly basis, comprised of state and local law enforcement professionals to develop a comprehensive privacy policy to ensure that the data is being used appropriately by those with access to it.
2. **Develop Unified Operating Procedures.** All State law enforcement agencies will partner to develop a single unified set of standard operating procedures (SOP) to allow all state LPRs to share information on Amber, Blue, or Silver alerts and any license plate numbers associated with individuals that present an imminent or specific threat to public safety.
3. **Execute a Memorandum of Understanding.** The Governor's Office of Crime Control and Prevention, in partnership with the Maryland State Police, will coordinate the development of SOPs and, if needed, will execute Memoranda of Understanding (MOU) with local law enforcement agencies to allow as many LPRs as possible to share.
4. **Promote public confidence by ensuring that LPR information is used only for legitimate law enforcement purposes.** Law enforcement agencies will draft policies and regulations governing the collection, dissemination, and retention of the information, ensuring that the information is used only for official law enforcement purposes and is not abused.
5. **Coordinate Legal Policies and Protections.** The Governor's Office of Crime Control and Prevention will coordinate with the legal counsel of State agencies to ensure LPR information retention and sharing policies are consistent with applicable federal and state law.
6. **Identify Additional Funding Sources.** The Maryland Department of Transportation and Maryland State Police will develop a plan to identify possible funding sources for the deployment and integration of LPRs in and around Baltimore Washington International – Thurgood Marshall Airport, and at key entry and exit points on State highways leading into the major metropolitan areas including I-95, I-695, and I-495.

Resources

International Association of Chiefs of Police, "Privacy Impact Assessment Report for the Utilization of License Plate Readers", September 2009.

New York Division of Criminal Justice Services, "Operation of License Plate Readers for Law Enforcement Agencies in New York State, Suggested Guidelines."

FY2011 NCR UASI Grant – Reprogramming of Funds

The SAA predicts a need to reprogram \$5.25 Million of the FY2011 UASI grant to fund additional new projects in order to ensure that the grant is fully expended by the end of the period of performance (8/31/2014).

The cause for this reprogramming is primarily due to FEMA's decision to reduce the FY2012 UASI grant period of performance to 24 months. With only 24 months to finish spending FY2012 funds, these projects will have to start spending once the federal award is issued. Projects that were awarded FY2010, FY2011 and FY2012 funds for the same purpose will likely have to start spending the 2012 award as soon as they finish spending their FY2010 awards. As a result, a number of projects will be unable to expend some or all of their FY2011 UASI awards.

The projects that are most affected are ones that support specific personnel positions, as these projects have a fixed rate of spending that cannot be accelerated significantly. The SAA calculated the amount that will be rescinded by determining the monthly cost for personnel (based on reimbursements submitted) and determining the resulting total of FY2011 funds that would remain unspent by the end of 2012 (the corresponding FY2012 UASI projects must start spending by January 2013).

- Exercise & Training Officers: \$1,508,056 of \$1,750,00 total awarded to be rescinded
- NIMS Officers: \$905,000 of \$1,000,000 total awarded to be rescinded
- Regional Planning: \$1,003,063 of \$2,875,000 total awarded to be rescinded
- Volunteer Coordination: \$451,881 of \$1,000,000 total awarded to be rescinded

The amount of reprogramming is also partly due to projects that have informed the SAA of under-spending and partly due to the SAA's prediction of a normal amount of additional under-spending during the course of the grant.

On June 22 MWCOC requested the ESF's and RPWG's develop priority recommendations for additional projects to make use of the available reprogramming funds. These proposals are subject to the following conditions:

- Must be able to start spending funds no later than March 31, 2013
- Must be complete no later than May 31, 2014
- Must not require Environmental/Historic Preservation (EHP) review

The SAA must issue the new FY2011 reprogramming project awards no later than October 31, 2012.

As Approved by SPG and CAO-HSEC, May 12, 2011

NCR Policies for Regional UASI Grant Projects

1. Purpose

These policies reflect the common shared principles of the National Capital Region and are intended to provide common rules of the road to guide the development, selection, implementation, and sustainment of grant funded projects in the NCR. These policies govern the NCR Urban Area Security Initiative (UASI) grant process.

2. Scope

The following policies set forth by the Senior Policy Group (SPG) and Chief Administrative Officers Homeland Security Executive Committee (CAO-HSEC) shall apply to all projects funded through the regional-share of the UASI grant for the NCR. These policies reflect the common principles of the NCR. The SPG and CAO-HSEC look for innovative ways to achieve these ends and will periodically update these policies based on best practices and lessons learned as well as changing risk and hazard profiles. The full policy document will be reviewed at least once annually in June by the SPG in coordination with the CAO-HSEC. The NCR Policies incorporate by reference the State Administrative Agent's (SAA) Standard Operating Procedures and Sub-Grantee Handbook based on best practices and lessons learned. (These documents are incorporated as Annexes).

3. Personnel Projects

3.1. Regional capability. UASI projects that fund staff must produce deliverables that build or connect to capabilities identified in the NCR Homeland Security Strategic Plan and relevant Investment Plan(s). These deliverables will be evaluated according to performance measures established by the SAA during the course of the project. These deliverables may be local in nature but must support a regional capability as set out in the Strategic Plan. A local capability is often required before we can build and achieve a regional capability. For example, local plans are often needed before a regional plan can be developed. All projects should be structured so that regional objectives are reached.

3.2. Promoting regional capabilities. There are many ways to hire and manage personnel to achieve needed capabilities in a cost-effective manner. These hiring methods include but are not limited to:

- Use of a common employer or contract to hire all personnel needed to complete a project for the region.
- Use of shared personnel that work on behalf of multiple agencies or jurisdictions.
- Contractors or employees who are hired and managed by individual jurisdictions or agencies but required to provide a minimum level of effort to regional products or deliverables.

There is no requirement or guarantee that each locality or agency will receive a separate personnel position for a given project.

3.2.1. Hiring and management method. All personnel projects must identify and justify the hiring method to be used in their project proposal. The proposal shall propose a hiring method that provides for the strongest project management to accomplish the deliverables in a cost-effective manner. The hiring method must be evaluated and approved by the SAA prior to inclusion in the UASI grant application.

3.3. Transparency & accountability: List of deliverables. All personnel projects shall identify the specific deliverable(s) and milestones to be achieved. This list shall be forwarded to the SAA prior to inclusion in the UASI grant application. The SPG and the CAO-HSEC shall concur in this list before a sub-grant is issued for the project. The products or deliverables shall be incorporated into the Project Management Plan(s) and Investment Plans, and any contracts or MOUs executed with UASI funds. Progress will be tracked by the SAA through quarterly progress reports. Failure to produce specific milestones as indicated in the project management plan and specified in the quarterly reports can result in the withdrawal of funding.

3.3.1. Amendment of list of deliverables. This list may be amended with the concurrence of the SAA and the CAO-HSEC.

3.4. Dashboard: Progress in developing the product or deliverables shall be reported through a dashboard in the quarterly report provided to the SAA by project managers.

3.5. Sustainment & Personnel: Relevant sections of Section 4.0 Sustainment apply to personnel projects.

3.6. Sunset: All personnel projects shall be subject to a sunset review at least every two years. Projects shall be assessed for need, benefit, cost, value, and efficiency. The review may result in the renewal of a project, modification of a project, or the phase-out of a project. In September, the SPG and CAO-HSEC will hold a session to evaluate the projects that are up for a sunset review.

3.6.1. Considerations. Reviews will include a consideration of these questions:

- What was the intended goal, outcome, or capability to be developed through the project?
- Does the project promote collaboration and multi-jurisdictional partnerships to address capabilities?
- Did the project produce its stated deliverables?
- Do the deliverables achieve the capability described in the project management plan?
- What gaps remain and what capabilities are still needed in the future?
- Does the region still need the same level of personnel effort to achieve or sustain the capability?
- Does the current NCR risk profile still support the need for the capability?
- Can the same provision of services be delivered in an alternative and more cost-effective manner?
- Is the nature of the capability more appropriately sustained by the state or locality rather than through the use of regional funds?

4. Sustainment

4.1. Definition: Sustainment includes all costs and funds related to payment of fees for such things as personnel contracts, maintenance and service contracts, licensing fees, subscription services, monthly recurring fees, replacement costs of equipment including the upgrade of equipment, and the continuation of a capability.

4.2. Budget data requirements. As with all other projects, all sustainment projects must include specified budgetary data in their project proposal. (See Annex A for the project proposal template and the DHS definitions.) The budget must differentiate between those elements of the project which maintain the current capability and, if relevant, those designed for an upgrade or expansion of a project. Project proposals not containing this data shall not be considered by the SPG and CAO-HSEC for inclusion in UASI grant applications.

4.3. Cost-sharing. Projects whether new or sustainment (continuation, maintenance, upgrade, replacement, refresh, or enhancement) should provide concrete examples and a long term plan on how cost-sharing with the localities will be developed once the project has been implemented. This should describe the approach the project will take to determining the extent to which localities should bear the cost of sustainment for both maintenance and service contracts as well as for major system upgrades or refreshes.

4.4. Regional efficiencies. All projects proposing new equipment or replacement or upgrade of equipment shall investigate the feasibility of a regional cache as a means for making the equipment available throughout the region. If no cache or regional team approach is provided, the investment plan and resulting project proposal must indicate why this is not feasible or is more costly than provision of equipment to each jurisdiction.

4.5. Assessment of requests. Sustainment projects will not be given preference over new investment proposals to determine their relative priority for funding. Requests will be assessed according to their feasibility and their relevance in achieving regional capabilities in the NCR strategic plan.

4.5.1. Assess budget data. Assess the fiscal data and value of sustainment requests based on current risks to the NCR in comparison with other proposed investments.

4.5.2. Consideration of alternatives. All sustainment requests shall be considered in light of potential alternatives that would increase the cost efficiency or enhance the effectiveness of the project.

4.6. Sunset: All projects shall be subject to a sunset review **every two years**. Projects shall be assessed for need, benefit, cost, value, and efficiency.

4.6.1. Considerations. Reviews will include a consideration of these questions:

- What was the intended goal, outcome, or capability to be developed through the project?
- Does the project promote collaboration and multi-jurisdictional partnerships to address capabilities?
- Did the project produce its stated deliverables?
- Do the deliverables achieve the capability identified in the Project Management Plan?
- What gaps remain and what outcomes or capabilities are still needed in the future?

- Does the region still need the same level of investment to achieve or sustain the capability?
- Does the current NCR risk profile still support the need for the capability?
- Can the same capability be delivered in an alternative and more cost-effective manner?
- Can the same capability be provided at a lower cost by another company or competitor?
- Is the nature of the capability more appropriately sustained by the state or locality rather than through the use of regional funds?
- What are the consequences to local and regional preparedness if the project does not receive continued grant funding?

5. Enhancement and Expansion

5.1. Definition. Expansion projects include those which expand the scope or geographic coverage of a project. Enhancement projects are those which upgrade the equipment or software or services provided by a previous project. Enhancement and expansion projects are often combined with sustainment.

5.2. Incorporation of Sustainment Policies to Enhancement and Expansion. Relevant sections of Section 4.0 Sustainment apply to Enhancement and Expansion projects.

6. Reprogramming Requests and Changes to Projects

6.1. Changes to project sub-grants. Any changes to a project sub-grant that equals more than 10 per cent of the total sub-grant requires written approval from the SAA. Requests to alter the amount of funding to a sub-grant must be made in writing to the SAA.

6.2. No shifting of UASI funds from one project to another. As indicated in Annex B, SAA Standard Operating Procedures, project managers may not shift UASI funding from one project to another without written approval from the SAA.

6.3. Effect on state-share funds. Shifting of funds from one state-share sub-grant also requires express written approval from the SAA.

6.4. Requests for Reprogramming Funds. Any requests for reprogramming funds of existing UASI funds for current projects or new projects are subject to all relevant clauses of Sections 3 – 5.

7. Regional Strategic Alignment

7.1. Alignment with the NCR Strategic Plan. Funding must support the goals, objectives, and initiatives of the NCR Strategic Plan. All proposals must align with and support capabilities identified in the NCR Homeland Security Strategic Plan and relevant Investment Plan(s).

7.2. Impact on regional capabilities. A project may address a need in an individual jurisdiction or group of jurisdictions based on impact on overall regional capability.

8. Eligibility to participate in UASI Grants

8.1. Eligibility for award of funds. As noted in the Federal Emergency Management Administration's Fiscal Year 2010 Homeland Security Grant Program Guidance, the SAA may award funds to "local units of government, combinations of local units, or other specific groups or organizations" within the designated urban area region.

8.1.1. One time changes in eligibility. The grant guidance for a given grant program and year may expand the eligibility for awards to areas outside the NCR under specific conditions. Any special eligibility granted in one grant program and year does not guarantee eligibility for funding in other grant programs or grant years. Refer to the SAA for specific questions about eligibility in individual grant years.

8.1.2. Eligibility to submit a project proposal. A project proposal may be submitted by local or state governmental entities or non-profit entities. Project proposals should be vetted by appropriate R-ESFs and RPWGs before being considered for UASI funding. A proposer of any project proposal not vetted by an appropriate R-ESF or RPWG must provide in writing to the SAA a compelling reason that the proposal was not vetted in order to be considered for UASI funding by the SPG and CAO-HSEC.

8.2. Statutory definition of the National Capital Region. The Federal Emergency Management Agency adopts the statutory definition of the National Capital Region from the National Defense Authorization Act for Fiscal Year 1991. The National Capital Region "means the geographic area located within the boundaries of (A) The District of Columbia, (B) Montgomery and Prince Georges Counties in the State of Maryland, (C) Arlington, Fairfax, Loudoun, and Prince William Counties and the City of Alexandria in the Commonwealth of Virginia, and (D) all cities and other units of government within the geographic areas of such District, Counties, and City." (10 U.S.C. § 2674(f)(2), Pub. L. No. 101-510 § 2803(c)(2) (1990); *Federal Emergency Management Administration's Fiscal Year 2010 Homeland Security Grant Program Guidance*, 13).

8.3. Membership in MWCOG. Membership in the Metropolitan Washington Council of Governments is not a pre-requisite for eligibility to receive NCR UASI grant funds for projects.

8.4. State eligibility. The State of Maryland and the Commonwealth of Virginia both exist in part within the boundaries of the NCR. As such Maryland and Virginia state agencies are eligible to receive NCR UASI grant funding regardless of where the agency's physical headquarters are located within the borders of the State or Commonwealth. According to FEMA Grant Guidance any funds awarded to state agencies "must be used to directly support the designated Urban Areas in the State." (*Federal Emergency Management Administration's Fiscal Year 2010 Homeland Security Grant Program Guidance*, 52). Projects implemented by Maryland or Virginia agencies must also meet regional impact requirements as stated in Section 6.

8.5. Eligibility does not create a right to project funds. Eligibility does not indicate an entitlement to receive NCR UASI grant funds. All proposals for funding must be submitted and approved through the designated grant application process for that grant program and year in order to receive funds.

8.6. Questions. Questions on eligibility or the grant application process should be submitted to the SAA.

Annexes

- A. Project Proposal Template; DHS Definitions
- B. SAA Standard Operating Procedures
- C. SAA Sub-Grantee Manual
- D. SAA Audits White Paper