

NOTICE OF FUNDING OPPORTUNITY
911 GRANT PROGRAM

EXECUTIVE SUMMARY

A. Federal Agency Name

National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce

National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation

B. Funding Opportunity Title

911 Grant Program

C. Announcement Type

Initial

D. Funding Opportunity Number

NHTSA-NTIA-911-Grant-Program-2018

E. Catalog of Federal Domestic Assistance (CFDA) Number(s)

20.615, 911 Grant Program

F. Key Dates

Initial applications will be accepted from **August 9, 2018** until **September 10, 2018** at 11:59 p.m. Eastern Daylight Time (EDT). Initial applications must be in PDF format and submitted electronically via email to the National 911 Program inbox at nhtsa.national911@dot.gov. Initial applications consist of the required certifications set forth in the appendices of this Notice of Funding Opportunity (NOFO): Appendix A for State applicants and in Appendix B for Tribal Organization applicants. After receipt of the initial applications, the National Telecommunications and Information Administration (NTIA) and the National Highway Traffic Safety Administration (NHTSA) (collectively, the Agencies), will issue preliminary funding allocations for each of the States or Tribal Organizations meeting the certification requirements on www.grants.gov. Those States or Tribal Organizations must then submit a complete application packet by the deadline established on www.grants.gov. Complete application packets must be submitted electronically through www.grants.gov. Complete applications or portions thereof submitted by postal mail, courier, email, or by facsimile will not be accepted.

See Section D in the Full Announcement Text of this NOFO for detailed information concerning application submission requirements.

G. Funding Opportunity Description

The Agencies issue this NOFO to describe the requirements under which they will award grants for the 911 Grant Program, authorized by the NG911 Advancement Act of 2012 (Middle Class Tax Relief and Job Creation Act of 2012, Pub. L., 112-96, Title VI, Subtitle E (codified at 47 U.S.C. 942)). The NG911 Advancement Act provides new funding for grants to be used for the implementation and operation of 911 services, E-911 services, migration to an IP-enabled emergency network, and adoption and operation of NG911 services and applications; the implementation of IP-enabled emergency services and applications enabled by Next Generation 911 services, including the establishment of IP backbone networks and the application layer software infrastructure needed to interconnect the multitude of emergency response organizations; and training public safety personnel, including call-takers, first responders, and other individuals and organizations who are part of the emergency response chain in 911 services.

H. Funding Instrument

Grant.

I. Eligibility

Any State, Territory, the District of Columbia, or Tribal Organization is eligible for a grant under the 911 Grant Program.

J. Cost Sharing/Matching

The 911 Grant Program requires cost sharing, also known as a matching funds requirement. By statute, the Federal share of the cost of any activity carried out under the Grant Program may not exceed 60 percent of the eligible cost of carrying out grant activities.¹ Thus, the Agencies expect that 911 grant recipients will provide at least 40 percent non-Federal matching funds toward the total eligible project cost. Applicants must document their capacity to provide matching funds. Matching funds may be in the form of either cash or in-kind contributions consistent with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200.²

¹ 47 U.S.C. 942(b)(2).

² 2 CFR Part 200, available at <http://go.usa.gov/SBYh>.

FULL ANNOUNCEMENT TEXT

A. Program Description

In 2009, NTIA and NHTSA issued regulations implementing the E-911 Grant Program enacted in the Ensuring Needed Help Arrives Near Callers Employing 911 (ENHANCE 911) Act of 2004 (Pub. L. 108-494, codified at 47 U.S.C. 942) (74 FR 26965, June 5, 2009). Accordingly, in 2009, NTIA and NHTSA made more than \$40 million in grants available to 30 States and Territories to help 911 call centers nationwide upgrade equipment and operations through the E-911 Grant Program.

In 2012, the NG911 Advancement Act of 2012 (Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112-96, Title VI, Subtitle E (codified at 47 U.S.C. 942)) enacted changes to the program. The NG911 Advancement Act modifies the 911 Grant Program to incorporate Next Generation 911 (NG911) services, among other things, while preserving the basic structure of the program.

The NG911 Advancement Act broadens the eligible uses of funds and provides new funding for grants to be used for the implementation and operation of 911 services, E-911 services, migration to an IP-enabled emergency network, and adoption and operation of NG911 services and applications; the implementation of IP-enabled emergency services and applications enabled by Next Generation 911 services, including the establishment of IP backbone networks and the application layer software infrastructure needed to interconnect the multitude of emergency response organizations; and training public safety personnel, including call-takers, first responders, and other individuals and organizations who are part of the emergency response chain in 911 services.

For 50 years, local and state 911 call centers, also known as Public Safety Answering Points (PSAPs), have served the public in emergencies. PSAPs receive incoming 911 calls from the public and dispatch the appropriate emergency responders, such as police, fire, and emergency medical services, to the scene of emergencies. NG911 is an initiative to modernize today's 911 services so that citizens, first responders, and 911 call-takers can use digital, IP-based, broadband-enabled technologies to coordinate emergency responses.³ Using multiple formats, such as voice, text messages, photos, and video, NG911 enables 911 calls to contain real-time caller location and emergency information, improve coordination among the nation's PSAPs, dynamically re-route calls based on location and PSAP congestion, and connect first responders to key health and government services in the event of an emergency.⁴

The purpose of the 911 Grant Program is to provide Federal funding to support the transition of PSAPs and their interconnecting 911 network and core services, to facilitate migration to a

³ National 911 Program, Next Generation 911 for Leaders in Law Enforcement Educational Supplement at 3 (2013), available at https://www.911.gov/pdf/National_911_Program_NG911_Publication_Leaders_Law_Enforcement_2013.pdf.

⁴ *Id.* at 4-5.

digital, IP-enabled emergency network, and adoption and operation of NG911 services and applications. States or other taxing jurisdictions that have diverted fees collected for 911 services remain ineligible for grants under the program and a State or jurisdiction that diverts fees during the term of the grant must repay all grant funds awarded.⁵ The NG911 Advancement Act further clarifies that prohibited diversion of 911 fees includes elimination of fees as well as redesignation of fees for purposes other than implementation or operation of 911 services, E-911 services, or NG911 services during the term of the grant.⁶

On September 21, 2017, the Agencies published a Notice of Proposed Rulemaking (NPRM) seeking public comment on proposed regulations for the 911 Grant Program.⁷ The Agencies received submissions from 21 commenters in response to the NPRM. The Agencies addressed the comments in the preamble to the Final Rule, which was published in the Federal Register on August 3, 2018.

The Agencies issue this NOFO to open the window for initial application submissions for the grant program, provide information on the amount of funding available for award, discuss how they will allocate funds to qualifying applicants, give instructions on the application process, and describe the evaluation criteria for application review. The definitions applicable to this NOFO are set forth at 47 CFR § 400.2.

B. Federal Award Information

1. Funding Availability

The Agencies will make up to \$109,250,000 available for Federal assistance under the 911 Grant Program. If additional funds remain during the grant program because administrative costs are less than projected, then the Agencies may have the opportunity to award additional grant funds to eligible entities.

2. Project/Award Period

The period of performance for all awards under the 911 Grant Program will be four years. A no-cost extension may be considered based on demonstrated need.

3. Award Amount

The Agencies will distribute grant funds to eligible States and Tribal Organizations using a formula based on State population and public road mileage, as described in 47 CFR § 400.6. Specifically, grant funds for each State that meets the certification requirements set forth in 47 CFR § 400.4 will be allocated: (i) 50 percent in the ratio which the population of the State bears

⁵ See 47 U.S.C. 942(c).

⁶ See *id.* at 942(c)(3).

⁷ See NTIA and NHTSA, 911 Grant Program, Notice of Proposed Rulemaking, 82 FR 44131 (Sept. 21, 2017), available at <https://www.gpo.gov/fdsys/pkg/FR-2017-09-21/pdf/2017-19944.pdf> (NPRM).

to the total population of all the States, as shown by the latest available Federal census; and (ii) 50 percent in the ratio which the public road mileage in each State bears to the total public road mileage in all States, as shown by the latest available Federal Highway Administration data. Grant funds for each Tribal Organization that meets the certification requirements set forth in 47 CFR § 400.4 will be allocated: (i) 50 percent in the ratio to which the population of the Tribal Organization bears to the total population of all Tribal Organizations, as determined by the most recent population data on American Indian/Alaska Native Reservation of Statistical Area; and (ii) 50 percent in the ratio which the public road mileage in each Tribal Organization bears to the total public road mileage in tribal areas, using the most recent national tribal transportation facility inventory data.

The distribution to each qualifying State shall not be less than \$500,000, except that the distribution to American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands shall not be less than \$250,000.

Up to 2 percent of grant funds available under this part will be set aside for distribution to qualifying Tribal Organizations for a 911 grant. The distribution to each qualifying Tribal Organization will be determined based on the formula set forth above but shall not be more than \$250,000. Any remaining funds after distribution to qualifying Tribal Organizations will be released for distribution to the States consistent with this section. The Agencies will provide preliminary funding allocations for each of the States or Tribal Organizations that meets the certification requirements on www.grants.gov.

The Agencies reserve the right to allocate additional or unclaimed funds based on supplemental project budgets.

Grant funds that are returned or unused may be made available to States and Tribal Organizations through subsequent NOFOs.

4. Renewal or Supplementation

The Agencies do not anticipate soliciting or accepting applications for renewal or supplementation of existing projects for this grant program but retain discretion to make further supplemental or renewal awards as appropriate.

5. Type of Funding Instrument

The funding instrument for awards made pursuant to the NOFO will be a grant.

C. Eligibility Information

1. Eligible Applicants

An applicant must be a State or Tribal Organization as defined in 47 CFR § 400.2 to apply for a 911 grant. Each State, Territory or Tribal Organization choosing to apply for a grant must submit an individual application during the application window.

2. Cost Sharing or Matching

The 911 Grant Program requires cost sharing, also known as a matching fund requirement. By statute, the Federal share of the cost of any activity carried out under the grant program may not exceed 60 percent of the eligible cost of carrying out grant activities.⁸ Thus, 911 grant recipients must provide at least 40 percent non-Federal matching funds toward the total eligible project cost.⁹ Applicants must document their capacity to provide matching funds in their final applications. Matching funds may be in the form of either cash or in-kind contributions consistent with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200.¹⁰

In-kind contributions, which include third party in-kind contributions, are non-cash donations of property, goods or services, which benefit a Federally assisted project, and which may count toward satisfying the non-Federal matching requirement of a project's total budgeted costs when such contributions meet certain criteria.¹¹ In-kind contributions must be allowable project expenses. The rules governing allowable in-kind contributions are very detailed and encompass a wide range of properties and services. The Agencies encourage applicants to thoroughly consider potential sources of in-kind contributions that, depending on the particular property or service and the applicable Office of Management and Budget (OMB) cost principles, could include: employee or volunteer services; equipment; supplies; indirect costs; computer hardware and software; and use of facilities.

Generally, Federal funds may not be used as matching funds, except as provided by Federal statute.¹²

As provided in 48 U.S.C. 1469a, the Agencies waive the requirement for non-Federal matching funds for grant amounts up to \$200,000 (including in-kind contributions) for the Territorial governments in Guam, American Samoa, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

3. Other

The 911 Grant Program requires applicants to provide certifications regarding non-diversion of designated 911 charges.

⁸ 47 U.S.C. 942(b)(2).

⁹ See 47 CFR § 400.4(a)(2)(ii), (b)(2)(ii). As provided in 48 U.S.C. 1469a, the requirement for non-Federal matching funds (including in-kind contributions) is waived for American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands for grant amounts up to \$200,000.

¹⁰ See *id.* and 2 CFR § 200.306.

¹¹ See 2 CFR § 200.306.

¹² See *id.*

A State applicant must certify that during the time period 180 days immediately preceding the date of the initial application, the State has not diverted any portion of designated 911 charges imposed by the State for any purpose other than the purposes for which such charges are designated or presented, that no taxing jurisdiction in the State that will be a recipient of 911 grant funds has diverted any portion of designated 911 charges imposed by the taxing jurisdiction for any purpose other than the purposes for which such charges are designated or presented, and that, continuing through the time period during which grant funds are available, neither the State nor any taxing jurisdiction in the State that is a recipient of 911 grant funds will divert designated 911 charges for any purpose other than the purposes for which such charges are designated or presented.

A Tribal Organization applicant must certify that during the time period 180 days immediately preceding the date of the initial application, the taxing jurisdiction (or jurisdictions) within which the applicant is located has not diverted any portion of designated 911 charges imposed by the taxing jurisdiction (or jurisdictions) within which the applicant is located for any purpose other than the purposes for which such charges are designated or presented and that, continuing through the time period during which grant funds are available, the taxing jurisdiction (or jurisdictions) within which the applicant is located will not divert designated 911 charges for any purpose other than the purposes for which such charges are designated or presented.

D. Application and Submission Information

1. Address to Request Application Package

Application forms and instructions are available on the Grants.gov website (www.grants.gov). To access these materials, go to <http://www.grants.gov>, select “How to Apply for Grants,” and then select “Search for Opportunity Package.” Enter the CFDA number (20.615) and/or the funding opportunity number (NHTSA-NTIA-911-Grant-Program-2018). Select “Grant Opportunity Package,” and then follow the prompts. To download the instructions, go to “Preview Opportunity Package” and select “Download Instructions.” The Agencies recommend applicants visit Grants.gov prior to filing their applications so that they fully understand the process and requirements. Failure to properly register and apply for the 911 Grant Program funds by the deadline established in this NOFO may result in forfeiture of the grant opportunity. Applications are accepted until the deadline and are processed as received. Complete application packets submitted by email, paper, or facsimile will not be accepted.

With respect to electronic methods for providing information about funding opportunities or accepting applicants’ submissions of information, the Agencies are responsible for compliance with Section 508 of the Rehabilitation Act of 1973, as amended by the Workforce Act of 1998.

2. Content and Form of Applications

a) Required Forms and Documentation from a State Applicant

Applications from State applicants must be complete and follow the format described in this NOFO, which restates the requirements in 47 CFR § 400.4. Initial applications will be accepted

from **August 9, 2018** until **September 10, 2018** at 11:59 p.m. Eastern Daylight Time (EDT). Initial applications must be in PDF format and submitted electronically via email to the National 911 Program inbox at nhtsa.national911@dot.gov. After receipt of the initial applications, the Agencies will issue preliminary funding allocations for each of the States or Tribal Organizations meeting the certification requirements on www.grants.gov. Those States or Tribal Organizations will then submit a complete application packet by the deadline established on www.grants.gov. Complete application packets must be submitted electronically through www.grants.gov. The application consists of the following forms and required submissions, which are discussed in more detail below.

i. The following components are required for the initial application submission:

a. Designated 911 Coordinator

The identification of a single officer or government body to serve as the 911 Coordinator of implementation of 911 services and to sign the certifications required under this part. Such designation need not vest such coordinator with legal authority to implement 911 services, E-911 services, or Next Generation 911 services or to manage emergency communications operations. If a State applicant has established by law or regulation an office or coordinator with the authority to manage 911 services, that office or coordinator must be identified as the designated 911 Coordinator and apply for the grant on behalf of the State. If a State applicant does not have such an office or coordinator established, the Governor of the State must appoint a single officer or governmental body to serve as the 911 Coordinator in order to qualify for a 911 grant. If the designated 911 Coordinator is a governmental body, an official representative of the governmental body shall be identified to sign the certifications for the 911 Coordinator. The State must notify NHTSA in writing within 30 days of any change in appointment of the 911 Coordinator.

b. Certification

The certification in Appendix A of this NOFO, signed by the 911 Coordinator, certifying that the applicant has complied with the required statutory and programmatic conditions in submitting its application. The applicant must certify that during the time period 180 days immediately preceding the date of the initial application, the State has not diverted any portion of designated 911 charges imposed by the State for any purpose other than the purposes for which such charges are designated or presented, that no taxing jurisdiction in the State that will be a recipient of 911 grant funds has diverted any portion of designated 911 charges imposed by the taxing jurisdiction for any purpose other than the purposes for which such charges are designated or presented, and that, continuing through the time period during which grant funds are available, neither the State nor any taxing jurisdiction in the State that is a recipient of 911 grant funds will divert designated 911 charges for any purpose other than the purposes for which such charges are designated or presented.

ii. Complete Application

The following components are required for the complete application packet, to be submitted by the deadline established on www.grants.gov:

a. Standard Form 424: Application for Federal Assistance

This is the title page (SF-424). This form (and all additional forms requiring a signature) must be signed by the applicant's authorized organization representative (AOR). Electronic signatures submitted through www.grants.gov satisfy this requirement.

- SF-424, Item 8.d Zip/Postal Code field, should reflect the Zip code + 4 (#####-####) format.
- SF-424, Item 12, should list the NOFO number as NHTSA-NTIA-911-Grant-Program-2018.
- SF-424, Item 18, should list the total Federal budget amount requested for the entire project.
- For SF-424, Item 21, the list of certifications and assurances is contained in SF-424B.

b. Standard Form 424A: Budget Information–Non-Construction Programs

Applicants must complete this form and provide a budget summary for all proposed projects and activities to be funded by the grant funds.

c. Standard Form 424B: Assurances for Non-Construction Programs (SF-424B)

d. CD–511 Certification Regarding Lobbying: Enter “NHTSA-NTIA-911-Grant-Program-2018” in the Award Number field. Enter the title of the application used in field 15 of the SF-424, or an abbreviation of that title, in the Project Name field.

e. Standard Form LLL, Disclosure of Lobbying Activities (if applicable).

f. State 911 Plan: A plan that:

i. Details the projects and activities proposed to be funded by a 911 Grant Program award, for:

(A) The implementation and operation of 911 services, E-911 services, migration to an IP-enabled emergency network, and adoption and operation of Next Generation 911 services and applications;

(B) The implementation of IP-enabled emergency services and applications enabled by Next Generation 911 services, including the establishment of IP backbone networks and the application layer software infrastructure needed to interconnect the multitude of emergency response organizations; and

(C) Training public safety personnel, including call-takers, first responders, and other individuals and organizations who are part of the emergency response chain in 911 services.

ii. Establishes metrics and a time table for grant implementation; and

iii. Describes the steps the applicant has taken to—

(A) Coordinate its application with local governments, Tribal Organizations, and PSAPs within the State;

(B) Ensure that at least 90 percent of the grant funds will be used for the direct benefit of PSAPs and not more than 10 percent of the grant funds will be used for the applicant's administrative expenses related to the 911 Grant Program; and

(C) Involve integrated telecommunications services in the implementation and delivery of 911 services, E-911 services, and Next Generation 911 services.

g. Project Budget

Applicants must submit a project budget for all proposed projects and activities to be funded by the grant funds. In addition to the Standard Form 424A Budget Information, applicants must demonstrate that the project or activity meets the eligible use requirements in § 400.7.

Applicants must also identify the non-Federal sources, which meet the requirements of 2 CFR 200.306, that will fund at least 40 percent of the cost; except that as provided in 48 U.S.C. 1469a, the requirement for non-Federal matching funds (including in-kind contributions) is waived for American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands for grant amounts up to \$200,000. All budget information submitted with the application should match the dollar amounts on required Standard Form 424 and Standard Form 424A. Detail provided in the project budget must be sufficient so that reviewers can interpret how costs were estimated or calculated. The project budget (and the Standard Form 424A) must clearly distinguish those costs proposed to be supported with Federal funds as well as those costs contributed by the applicant as the non-Federal match.

h. Supplemental Project Budget

States that qualify for a grant under the program may also qualify for additional grant funds that may become available. To be eligible for any such additional grant funds that may become available in accordance with 47 CFR § 400.6 (*e.g.*, if a grant recipient returns unused funds or returns funds after becoming ineligible due to diversion of designated 911 charges), a State must submit, with its complete application packet, a supplemental project budget that identifies the maximum dollar amount the State is able to match from non-Federal sources meeting the requirements of 2 CFR § 200.306, and includes projects or activities for those grant and matching amounts, up to the total amount in the project budget submitted under paragraph (2)(a)(ii)(g) of this section. This information must be provided to the same level of detail as required under paragraph (2)(a)(ii)(g) of this section and be consistent with the State 911 Plan required under paragraph (2)(a)(ii)(f) of this section.

i. Indirect Cost Rate Agreement (as applicable)

If indirect costs are included in the proposed budget, provide a copy of the approved negotiated agreement if this rate was negotiated with its cognizant agency for indirect costs. If the applicant includes indirect costs in the budget and has not negotiated an indirect cost rate with its cognizant agency for indirect costs, the applicant may obtain such a rate through negotiation with its cognizant agency consistent with the requirements set forth in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200).¹³

Alternatively, in accordance with 2 CFR 200.414(f), applicants that have never received a negotiated indirect cost rate may elect to charge indirect costs to the award pursuant to a de minimis rate of 10 percent of modified total direct costs, in which case a negotiated indirect cost rate agreement is not required. In order to request indirect costs under a de minimis rate, the applicant must not receive more than \$35 million a year in direct Federal funding. As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once chosen, this methodology must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time. Applicants proposing a 10 percent de minimis rate pursuant to 2 CFR 200.414(f) must note this election as part of the budget portion of the application.

b) Required Forms and Documentation from a Tribal Applicant

Applications from Tribal applicants must be complete and follow the format described in this NOFO, which restates the requirements in 47 CFR § 400.4. Initial applications will be accepted from **August 9, 2018** until **September 10, 2018** at 11:59 p.m. Eastern Daylight Time (EDT). Initial applications must be in PDF format and submitted electronically via email to the National 911 Program inbox at nhtsa.national911@dot.gov. After receipt of the initial applications, the Agencies will issue preliminary funding allocations for each of the States or Tribal Organizations

¹³ Requirements for development and submission of indirect cost rate proposals by States and Tribal Organizations are set forth in 2 CFR Part 200, Appendix VII.

meeting the certification requirements on www.grants.gov. Those States or Tribal Organizations will then submit a complete application packet by the deadline established on www.grants.gov. Complete application packets must be submitted electronically through www.grants.gov. The application consists of the following forms and required submissions, which are discussed in more detail below.

- i. The following components are required for the initial application submission:

- a. Responsible Tribal Organization Official**

Written identification of the official responsible for executing the grant agreement and signing the required certifications on behalf of the Tribal Organization.

- b. Certification**

The certification in Appendix B of this NOFO, signed by the responsible official of the Tribal Organization, certifying that the applicant has complied with the required statutory and programmatic conditions in submitting its application. The applicant must certify that during the time period 180 days immediately preceding the date of the initial application, the taxing jurisdiction (or jurisdictions) within which the applicant is located has not diverted any portion of designated 911 charges imposed by the taxing jurisdiction (or jurisdictions) within which the applicant is located for any purpose other than the purposes for which such charges are designated or presented and that, continuing through the time period during which grant funds are available, the taxing jurisdiction (or jurisdictions) within which the applicant is located will not divert designated 911 charges for any purpose other than the purposes for which such charges are designated or presented.

- ii. The following components are required for a complete application packet, to be submitted by the deadline established on www.grants.gov:

- a. Standard Form 424: Application for Federal Assistance**

This is the title page (SF-424). This form (and all additional forms requiring a signature) must be signed by the applicant's authorized organization representative (AOR). Electronic signatures submitted through www.grants.gov satisfy this requirement.

- SF-424, Item 8.d Zip/Postal Code field, should reflect the Zip code + 4 (#####-####) format.
- SF-424, Item 12, should list the NOFO number as NHTSA-NTIA-911-Grant-Program-2018.
- SF-424, Item 18, should list the total Federal budget amount requested for the entire project.
- For SF-424, Item 21, the list of certifications and assurances is contained in SF-424B.

b. Standard Form 424A: Budget Information–Non-Construction Programs

Applicants must complete this form and provide a budget summary for all proposed projects and activities to be funded by the grant funds.

c. Standard Form 424B: Assurances for Non-Construction Programs (SF-424B)

d. CD–511 Certification Regarding Lobbying: Enter “NHTSA-NTIA-911-Grant-Program-2018” in the Award Number field. Enter the title of the application used in field 15 of the SF-424, or an abbreviation of that title, in the Project Name field.

e. Standard Form LLL, Disclosure of Lobbying Activities (if applicable).

f. Tribal Organization 911 Plan: A plan that:

i. Details the projects and activities proposed to be funded for:

(A) The implementation and operation of 911 services, E-911 services, migration to an IP-enabled emergency network, and adoption and operation of Next Generation 911 services and applications;

(B) The implementation of IP-enabled emergency services and applications enabled by Next Generation 911 services, including the establishment of IP backbone networks and the application layer software infrastructure needed to interconnect the multitude of emergency response organizations; and

(C) Training public safety personnel, including call-takers, first responders, and other individuals and organizations who are part of the emergency response chain in 911 services.

ii. Establishes metrics and a time table for grant implementation; and

iii. Describes the steps the applicant has taken to—

(A) Coordinate its application with PSAPs within the Tribal Organization's jurisdiction;

(B) Ensure that at least 90 percent of the grant funds will be used for the direct benefit of PSAPs and not more than 10 percent of the grant funds will be used for the applicant's administrative expenses related to the 911 Grant Program; and

(C) Involve integrated telecommunications services in the implementation and delivery of 911 services, E-911 services, and Next Generation 911 services.

g. Project Budget

Applicants must submit a project budget for all proposed projects and activities to be funded by the grant funds. In addition to the Standard Form 424A, applicants must demonstrate that the project or activity meets the eligible use requirements in § 400.7. Applicants must also identify the non-Federal sources, which meet the requirements of 2 CFR 200.306, that will fund at least 40 percent of the cost; except that as provided in 48 U.S.C. 1469a, the requirement for non-Federal matching funds (including in-kind contributions) is waived for American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands for grant amounts up to \$200,000. All budget information submitted with the application should match the dollar amounts on required Standard Form 424 and Standard Form 424A. Detail provided in the project budget must be sufficient so that reviewers can interpret how costs were estimated or calculated. The project budget (and the Standard Form 424A form) must clearly distinguish those costs proposed to be supported with Federal funds as well as those costs contributed by the applicant as the non-Federal match.

h. Supplemental Project Budget

Tribal Organizations that qualify for a grant under the program may also qualify for additional grant funds that may become available. To be eligible for any such additional grant funds that may become available in accordance with 47 CFR § 400.6 (*e.g.*, if a grant recipient returns unused funds or returns funds after becoming ineligible due to diversion of designated 911 charges), a Tribal Organization must submit, with its complete application packet, a supplemental project budget that identifies the maximum dollar amount the Tribal Organization is able to match from allowable sources meeting the requirements of 2 CFR § 200.306, and includes projects or activities for those grant and matching amounts, up to the total amount in the project budget submitted under paragraph (2)(b)(ii)(g) of this section. This information must be provided to the same level of detail as required under paragraph (2)(b)(ii)(g) of this section and be consistent with the Tribal Organization 911 Plan required under paragraph (2)(b)(ii)(f) of this section.

i. Indirect Cost Rate Agreement (as applicable)

If indirect costs are included in the proposed budget, provide a copy of the approved negotiated agreement if this rate was negotiated with its cognizant agency for indirect costs. If the applicant includes indirect costs in the budget and has not established a negotiated indirect cost rate with its cognizant agency for indirect costs, the applicant may obtain such a rate through negotiation with its cognizant agency consistent with the requirements set forth in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200).¹⁴

Alternatively, in accordance with 2 CFR 200.414(f), applicants that have never received a negotiated indirect cost rate may elect to charge indirect costs to the award pursuant to a de minimis rate of 10 percent of modified total direct costs, in which case a negotiated indirect cost rate agreement is not required. In order to request indirect costs under a de minimis rate, the applicant must not receive more than \$35 million a year in direct Federal funding. As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. Once chosen, this methodology must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time. Applicants proposing a 10 percent de minimis rate pursuant to 2 CFR 200.414(f) must note this election as part of the budget portion of the application.

j. Designated 911 Coordinator

Written identification of the single State officer or government body serving as the 911 Coordinator of implementation of 911 services in the State (or States) in which the Tribal Organization is located. If a State has not designated an officer or government body to coordinate such services, the Governor of the State must appoint a single officer or governmental body to serve as the 911 Coordinator in order for the Tribal Organization to qualify for a 911 grant. The Tribal Organization must notify NHTSA in writing within 30 days of any change in appointment of the 911 Coordinator.

c) Additional Application Materials

No additional application materials are required, beyond what is enumerated in the above sections.

d) Application Format

i. Emailed and facsimile (fax) submissions

The initial application submission, including the designation of the 911 Coordinator and the required certification (items D.2.a.i. and D.2.b.i), must be in PDF format and submitted via email to the National 911 Program inbox at nhtsa.national911@dot.gov. Email and facsimile submissions will not be accepted for the complete application packets (items D.2.a.ii and D.2.b.ii).

¹⁴ Requirements for development and submission of indirect cost rate proposals by States and Tribal Organizations are set forth in 2 CFR Part 200, Appendix VII.

ii. Figures, graphs, images, and pictures

Should be of a size that is easily readable or viewable and may be landscape orientation.

iii. Font

Easy to read font (10-point minimum). Smaller type may be used in figures and tables but must be clearly legible.

iv. Line spacing

Applicants may use single spacing or double spacing.

v. Margins

One inch top, bottom, left, and right.

vi. Page layout

Portrait orientation except for figures, graphs, images, and pictures. Paragraphs are to be clearly separated from each other by double spacing, paragraph formatting or equivalent.

vii. Page numbering

Number pages sequentially.

viii. Page size

8½ inches by 11 inches.

ix. Application language

English.

x. Typed document

All applications, including forms, must be typed.

e) Certifications Regarding Federal Felony and Federal Criminal Tax Convictions, Unpaid Federal Tax Assessments and Delinquent Federal Tax Returns

In accordance with Federal appropriations law, an authorized representative of the selected applicant(s) may be required to provide certain pre-award certifications regarding Federal felony and Federal criminal tax convictions, unpaid Federal tax assessments, and delinquent Federal tax returns.

f) Certifications Regarding Debarment and Suspension (applies to subrecipients as well as States and Tribal Organizations)

Instructions for Primary Tier Participant Certification (States and Tribal Organizations)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180, 1200 and 1326.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR Parts 180, 1200 and 1326. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180, 1200 and 1326.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from

the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Tier Covered Transactions

1. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180, 1200 and 1326.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 CFR Parts 180, 1200 and 1326. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1200.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, Subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in

addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

3. Dun & Bradstreet Number and System for Award Management

Pursuant to 2 CFR Part 25, an applicant or recipient (as the case may be) is required to: (i) be registered in the System for Award Management (SAM) before submitting its complete application packet; (ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency, unless otherwise excepted from these requirements pursuant to 2 CFR § 25.110. The Agencies will not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time that the Agencies are ready to make a Federal award pursuant to this NOFO, the Agencies may determine that the applicant is not qualified to receive a Federal award.

(a) DUNS Number

All applicants must supply a Dun and Bradstreet Data Universal Numbering System (DUNS) number. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS number request line at 1-866-705-5711 or via the Internet at <http://fedgov.dnb.com/webform>.

(b) System for Award Management

All applicants must register in the SAM before submitting a complete application packet. Additionally, the applicant must maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. Applicants can register for the SAM at <https://www.sam.gov/>.

4. Submission Dates and Times

Initial applications for the 911 Grant Program must be electronically submitted to the National 911 Program inbox at nhtsa.national911@dot.gov from **August 9, 2018** until **September 10, 2018** at 11:59 p.m. Eastern Daylight Time (EDT). Initial applications that are not submitted

during this time frame will not be accepted. Additionally, initial applications submitted by mail, courier, or by facsimile will not be accepted.

After receipt and review of the initial application submissions, the Agencies will provide preliminary funding allocations for each of the States or Tribal Organizations meeting the certification requirements on www.grants.gov. Those States or Tribal Organizations will then submit a complete application packet by the deadline established on www.grants.gov (*i.e.*, applications must be marked received by Grants.gov by that deadline). Complete applications must be submitted electronically through www.grants.gov. Complete applications or portions thereof submitted by postal mail, courier, email, or by facsimile will not be accepted. All application forms and documents must be included with an applicant's complete application packet submission via www.grants.gov.

5. Intergovernmental Review

Applications from a State under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs," which requires intergovernmental consultation with State and local officials. All applicants are required to submit a copy of their applications to their designated state Single Point of Contact (SPOC) offices.¹⁵

6. Funding Restrictions

Grantees may only use funds awarded under the 911 Grant Program to pay for eligible costs. Eligible costs are consistent with the cost principles identified in 2 CFR Part 200, including Subpart E of such regulations¹⁶ and in the grant program's authorizing legislation. In addition, costs must be reasonable, necessary, allocable, and allowable for the proposed project, and conform to generally accepted accounting principles. Grant funds may be used to cover only eligible costs incurred by the grantee during the period of performance, and for allowable costs incurred by the grantee during the grant closeout process.

a) Eligible Uses for 911 Grant Funds

The NG911 Advancement Act broadened the eligible uses of grant funds to include:

- i. The implementation and operation of 911 services, E-911 services, migration to an IP-enabled emergency network, and adoption and operation of Next Generation 911 services and applications;
- ii. The implementation of IP-enabled emergency services and applications enabled by Next Generation 911 services, including the establishment of IP backbone networks

¹⁵ See 7 CFR Part 3015, subpart V.

¹⁶ The government has established a set of principles for determining eligible or allowable costs. Allowable costs are determined in accordance with the cost principles applicable to the entity incurring the costs. For example, the allowability of costs incurred by State, local or Federally-recognized Indian tribal governments is determined in accordance with the provisions of 2 CFR Part 200, Subpart E.

and the application layer software infrastructure needed to interconnect the multitude of emergency response organizations; and

iii. 911-related training of public safety personnel, including call-takers, first responders, and other individuals and organizations who are part of the emergency response chain in 911 services.

Based on the broad parameters of eligible uses of 911 Grant Program funds above, eligible costs under the 911 Grant Program will include the following categories of expenses:

- Personnel costs, including salaries and fringe benefits for staff and consultants required for the implementation of NG911 services (such as project managers, program directors, subject matter experts, grant administrators, financial analysts, accountants, and attorneys).
- Contractual costs associated with carrying out programmatic activities of the 911 grant, including for the provision of NG911 services or for consulting services. Recipients are responsible for monitoring the activities and expenditures of vendors and are responsible for ensuring that all solicitation documents reflect activities within the scope of the 911 Grant Program.
- Costs to purchase hardware, software, and hosted services associated with enabling NG911 calls to be received, processed and dispatched. Recipients must specify that the purchase of hardware, software, and/or services comply with current NG911 standards, as listed in the Department of Homeland Security’s SAFECOM guidance.¹⁷ Each individual product, however, need not meet every listed standard.
- Costs associated with planning and administration incurred as a direct result of participation in the 911 Grant Program, which is limited to no more than 10 percent of grant funds. Recipients may use a portion of funds allocated to administrative services to perform an assessment of their current 911 system, using the “NG9-1-1 Readiness Scorecard” produced by the FCC’s Task Force on Optimal PSAP Architecture,¹⁸ which includes the ongoing activities necessary to develop, modify, and improve the framework for State and Tribal Organization NG911 governance, strategic planning, and coordination.
- Training costs directly related to NG911 implementation for public safety personnel. The “Recommended Minimum Training Guidelines for Telecommunicators” must

¹⁷ 47 U.S.C. 942(a)(1). *See also* Department of Homeland Security, “Fiscal Year 2016 SAFECOM Guidance on Emergency Communications Grants,” at Appendix B – Technology and Equipment Standards (2016), *available at* <https://www.dhs.gov/sites/default/files/publications/FY%202016%20SAFECOM%20Guidance%20FINAL%20508C.pdf>.

¹⁸ *See* FCC, TFOPA Working Group 2 Phase II Supplemental Report: NG9-1-1 Readiness Scorecard (Dec. 2, 2016), *available at* https://transition.fcc.gov/pshs/911/TFOPA/TFOPA_WG2_Supplemental_Report-120216.pdf.

serve as a base level for the training provided.¹⁹ Recipients must submit documentation describing the training being provided, which identifies the included elements from the Minimum Training Guidelines.

- Costs to operate the NG911 system as a dual system to the current legacy 911 system, until such time as the legacy E-911 or 911 system is shut down and the system is fully operational using only NG911 technology.

b) Ineligible Costs

Ineligible costs include those costs that are unallowable under the Cost Principles of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.²⁰ Please note that costs ineligible for 911 Grant Program support may not be included as matching funds.

Ineligible costs specific to funds awarded under the 911 Grant Program include:

- Costs to operate legacy E-911 or 911 systems.
- Costs to operate the NG911 system after it is fully operational.
- Activities related to construction.
- Independent verification and validation (IV&V) testing for product, service, and system purchases.

7. Other Submission Requirements

The initial applications must be submitted electronically via email to the National 911 Program inbox at nhtsa.national911@dot.gov, as described in [Section D.4 of this NOFO](#). The later complete applications for the 911 Grant Program must be electronically submitted through www.grants.gov, as described in the same section. Late or incomplete applications and applications submitted by mail, courier, or by facsimile will not be accepted.

a. How to Register to Apply through Grants.gov

Read the instructions below about registering to apply for 911 Grant Program funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

Organizations must have a Data Universal Numbering System (DUNS) Number, active System for Award Management (SAM) registration, and Grants.gov account to apply for grants. If

¹⁹ See National 911 Program, “Recommended Minimum Training Guidelines for Telecommunicators” (May 19, 2016), available at http://www.911.gov/pdf/Recommended_Minimum_Training_Guidelines_for_the_911_Telecommunicator_FINAL_May_19_2016.pdf (Minimum Training Guidelines).

²⁰ 2 CFR Part 200, Subpart E.

individual applicants are eligible to apply for this funding opportunity, then you may begin with step 3, Create a Grants.gov Account, listed below.

Creating a Grants.gov account can be completed online in minutes, but DUNS and SAM registrations may take several weeks. Therefore, an organization's registration should be done in sufficient time to ensure it does not impact the entity's ability to meet required application submission deadlines.

Complete organization instructions can be found on Grants.gov here:

<https://www.grants.gov/web/grants/applicants/organization-registration.html>

1) *Obtain a DUNS Number*: All entities applying for funding, including renewal funding, must have a DUNS Number from Dun & Bradstreet (D&B). Applicants must enter the DUNS Number in the data entry field labeled "Organizational DUNS" on the SF-424 form. For more detailed instructions for obtaining a DUNS Number, refer to:

<https://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html>

2) *Register with SAM*: All organizations applying online through Grants.gov must register with the System for Award Management (SAM). Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. For more detailed instructions for registering with SAM, refer to:

<https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>

3) *Create a Grants.gov Account*: The next step is to register an account with Grants.gov. Follow the on-screen instructions or refer to the detailed instructions here:

<https://www.grants.gov/web/grants/applicants/registration.html>

4) *Add a Profile to a Grants.gov Account*: A profile in Grants.gov corresponds to a single applicant organization the user represents (*i.e.*, an applicant) or an individual applicant. If you work for or consult with multiple organizations and have a profile for each, you may log in to one Grants.gov account to access all of your grant applications. To add an organizational profile to your Grants.gov account, enter the DUNS Number for the organization in the DUNS field while adding a profile. For more detailed instructions about creating a profile on Grants.gov, refer to:

<https://www.grants.gov/web/grants/applicants/registration/add-profile.html>

5) *EBiz POC Authorized Profile Roles*: After you register with Grants.gov and create an Organization Applicant Profile, the organization applicant's request for Grants.gov roles and access is sent to the EBiz POC. The EBiz POC will then log in to Grants.gov and authorize the appropriate roles, which may include the AOR role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been assigned the AOR role. For more detailed instructions about creating a profile on Grants.gov, refer to:

<https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html>

6) *Track Role Status*: To track your role request, refer to:

<https://www.grants.gov/web/grants/applicants/registration/track-role-status.html>

Electronic Signature: When the complete application packet is submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize people who are able to make legally binding commitments on behalf of the organization as a user with the AOR role; **this step is often missed and it is crucial for valid and timely submissions.**

b. How to Submit an Application for the 911 Grant Program via Grants.gov

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities, refer to:

<https://www.grants.gov/web/grants/applicants/workspace-overview.html>

1) *Create a Workspace*: Creating a workspace allows you to complete it online and route it through your organization for review before submitting.

2) *Complete a Workspace*: Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the state of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.

a. *Adobe Reader*: If you decide not to apply by filling out webforms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at:

<https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>

b. *Mandatory Fields in Forms*: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.

c. *Complete SF-424 Fields First*: The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and DUNS Number. Once it is completed, the information will transfer to the other forms.

3) *Submit a Workspace*: An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.

4) *Track a Workspace Submission*: After successfully submitting a workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to:
<https://www.grants.gov/web/grants/applicants/applicant-training.html>

Applicant Support: Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at support@grants.gov. For questions related to the specific grant opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist the Agencies with tracking your issue and understanding background information on the issue.

c. Timely Receipt Requirements and Proof of Timely Submission

Online Submission. Proof of timely submission is automatically recorded by Grants.gov. An electronic date/time stamp is generated within the system when the application is successfully received by Grants.gov. The applicant with the AOR role who submitted the application will receive an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of their application. This applicant with the AOR role will also receive the official date/time stamp and Grants.gov Tracking number in an email serving as proof of their timely submission.

When the Agencies successfully retrieve the application from Grants.gov, and acknowledge the download of submissions, Grants.gov will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the AOR role who submitted the application. Again, proof of timely submission shall be the official date and time that Grants.gov receives your application. Applications received by Grants.gov after the established due date for the program will be considered late and will not be considered for funding by the Agencies.

Applicants using slow internet, such as dial-up connections, should be aware that transmission can take some time before Grants.gov receives your application. Again, Grants.gov will provide either an error or a successfully received transmission in the form of an email sent to the applicant with the AOR role attempting to submit the application. The Grants.gov Support Center reports that some applicants end the transmission because they think that nothing is

occurring during the transmission process. Please be patient and give the system time to process the application.

d) Material Representations

The initial application, including certifications, and all forms and supporting documents submitted as part of the complete application packet, will be treated as a material representation of fact upon which the Agencies will rely in awarding grants. Applicants should be aware that all or portions of their 911 grant application may be made publicly available by the Agencies or as required under applicable Federal laws. Please be mindful if providing any law enforcement sensitive or otherwise non-public information within the grant application. See Section H.4 of this NOFO for additional information concerning the confidentiality of information contained in an application.

E. Application Review Information

1. Evaluation Criteria

The Agencies will evaluate applications for 911 grants on the basis of the following criteria.

a) Certifications

Reviewers will assess whether the applicant has signed and submitted the relevant certification—Appendix A to this NOFO for State applicants and Appendix B to this NOFO for Tribal Organization applicants—consistent with the timeline set forth in section D.4 of this NOFO.

b) Designated 911 Coordinator

Reviewers will assess whether the applicant has identified the single State officer or government body serving as the 911 Coordinator of implementation of 911 services in the State (or States) in which the applicant is located. For Tribal Organization applicants, reviewers will also assess whether the applicant has provided written identification of the official responsible for executing the grant agreement and signing the required certifications on behalf of the Tribal Organization.

c) State or Tribal Organization 911 Plan

Reviewers will assess the information provided in the applicant's State or Tribal Organization 911 Plan describing allowable activities, objectives, and outcomes based on the following criteria:

1. The plan adequately details the projects and activities it plans to conduct using 911 grant funds.
2. The planned projects and activities are allowable and allocable to the 911 Grant Program.

3. The plan adequately establishes metrics and a time table for grant implementation.

4. The State applicant adequately describes the steps taken to coordinate the application with local governments, Tribal Organizations and PSAPs within the State. The Tribal organization applicant adequately describes the steps taken to coordinate the application with PSAPs within the Tribal Organization's jurisdiction.

5. The plan adequately describes the steps taken to ensure that at least 90 percent of the grant funds will be used for the direct benefit of PSAPs and not more than 10 percent of the grant funds will be used for the State's or Tribal Organization's administrative expenses related to the 911 Grant Program.

6. The plan adequately describes the steps taken to involve integrated telecommunications services in the implementation and delivery of 911 services, E-911 services, and NG911 services.

d) Project Budget

This criterion evaluates whether the applicant presents a budget that is reasonable, considering the nature and full scope of the project. Specifically, reviewers will assess whether:

1. The applicant demonstrates that each project or activity meets the eligible use requirements set forth in 47 C.F.R. § 400.7.

2. The applicant identifies the non-Federal sources, which meet the requirements of 2 C.F.R. § 200.306, that will fund at least 40 percent of the cost. As provided in 48 U.S.C. 1469a, the Agencies waive the requirement for non-Federal matching funds (including in-kind contributions) for the Territorial governments in Guam, American Samoa, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands for grant amounts up to \$200,000.

e) Supplemental Project Budget

If an applicant opts to submit a supplemental project budget, reviewers will evaluate whether the supplemental project budget:

1. Identifies the maximum dollar amount the applicant is able to match from non-Federal sources meeting the requirements of 2 C.F.R. § 200.306, and
2. Includes projects or activities for those grant and matching amounts.

Reviewers will assess the supplemental project budget, if applicable, at the same level of detail as the project budget in E.1.d.

2. Review and Selection Process

The review process will be divided into four stages as outlined below:

a) Administrative Review of Initial Application Submission

Upon receipt of the initial application submission, the ICO will review the certifications for completeness. After this review, the Agencies will issue preliminary funding allocations for each of the States or Tribal Organizations meeting the certification requirements on www.grants.gov.

b) Initial Administrative Review of Complete Application Packets

After the Agencies issue preliminary funding allocations and eligible entities submit complete application packets, the ICO will conduct an initial review of timely received applications submitted in response to the NOFO to determine eligibility, completeness and responsiveness to the programmatic requirements of the 911 Grant Program, including a review of the State or Tribal 911 Plan and project budget. Applications determined to be ineligible, incomplete, and/or non-responsive may be eliminated from further review. However, the ICO, in its sole discretion, may continue the review process for an application that is missing information that can be easily rectified or cured. To continue the review process, the ICO may request missing or incomplete information from the applicant as needed. However, the ICO has no affirmative obligation to notify applicants of a deficient application and will not be held responsible for any deficiencies that are not remedied in a timely manner.

c) Merit Review

Each eligible application will be reviewed by at least three peer reviewers who have demonstrated expertise in the programmatic aspects of the program. The peer reviewers will individually evaluate applications according to the evaluation criteria provided in Section E.1 of this NOFO and provide technical comments for each applicant to the ICO. Should an application be found to be missing information, the ICO will contact the applicant regarding the need to revise the application based on peer review feedback. Revisions are intended to resolve material weaknesses and/or deficiencies with the application as identified by the peer reviewers, which may include but are not limited to proposed projects and activities and proposed budget items. The ICO may also request additional clarifying information and/or corroborating documentation from applicants. The applicant will have 14 calendar days to submit information responsive to the feedback provided by the ICO. Failure to submit such additional responsive information may preclude the applicant from further consideration for award.

Once the ICO receives application revisions, the same peer reviewers will again assess the application. Revised applications may be subjected to additional rounds of requested revisions by the ICO and reassessment by the peer/technical reviewers in accordance with this subsection. The ICO may use its sole discretion to terminate the peer review revision process for an applicant if, after multiple opportunities for revision, the ICO determines that the applicant is not sufficiently remedying the application based upon peer review comments. Each peer reviewer will be required to sign and submit a nondisclosure and confidentiality form to prevent the dissemination of confidential information, and to prevent financial and other conflicts of interest.

d) Programmatic Review and Award Recommendations

Following the merit review process and for each eligible application determined to be sufficient, the ICO will review the application for conformity with programmatic objectives. The ICO will analyze applications considered for award and may request necessary revisions from applicants during the programmatic review process as well.

Once this programmatic review is complete, and based on the individual merits of each application, the ICO will provide a list of all applications received and those applications recommended for funding according to the distribution formula to the Selecting Officials, and will make available copies of all applications, technical assessments of the reviewers, and all information obtained from the applicants during the evaluation, review and application revision processes.

The Administrator and Assistant Secretary serve as the Selecting Officials and will jointly approve grant awards to qualifying applicants.

e) Federal Awarding Agency Review of Risk Posed by Applicants

After applications are proposed for funding by the Selecting Officials, the agencies will perform pre-award risk assessments in accordance with 2 CFR § 200.205, which may include a review of the financial stability of an applicant, the quality of the applicant's management systems, the history of performance, reports and findings from audits, and/or the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities. In addition, prior to making an award where the total Federal share is expected to exceed the simplified acquisition threshold (currently \$150,000), the agencies will review and consider the non-publicly available information about that applicant in the Federal Awardee Performance and Integrity Information System (FAPIIS). Upon completion of the pre-award risk assessment, the agencies will determine whether the applicant is qualified to receive the award and, if so, whether appropriate special conditions that correspond to the degree of risk posed by the applicant should be applied to the award.

f) Anticipated Announcement and Award Dates

The Agencies anticipate awarding all 911 grants in calendar year 2018.

F. Federal Award Administration Information

1. Federal Award Notices

Applicants will be notified in writing by the Administrator and Assistant Secretary if their application is selected for an award. If the application is selected for funding, NHTSA will issue the grant award (Form CD-450), which is the authorizing financial assistance award document. By signing the Form CD-450, the grantee agrees to comply with all award provisions, terms, and conditions.

If an applicant is awarded funding, neither NHTSA nor NTIA is under any obligation to provide any additional future funding in connection with that award or to make any future award(s). Amendment of an award to extend the period of performance is at the discretion of NHTSA and NTIA.

2. Administrative and National Policy Requirements

Grantees will comply with applicable statutes and regulations, including but not limited to:

- 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR Part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR Part 1327 – Department of Commerce, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

3. Reporting

To ensure compliance with Federal regulations and collect systemic evaluation data on each project, successful 911 Grant Program applicants have a number of basic reporting requirements once they are awarded a grant.

a) Reporting Schedule

During the project period of this grant, each grant recipient shall submit performance reports annually and financial reports on a quarterly basis.

b) Reporting Requirements

i. Annual Certification

State grant recipients shall annually submit the certification found at Appendix C of this NOFO within 30 days after the end of each fiscal year that grant funds are available and Tribal Organization grant recipients shall annually submit the certification found at Appendix D of this NOFO within 30 days after the end of each fiscal year that grant funds are available. Annual certifications must be in PDF format and submitted electronically via email to the National 911 Program inbox at nhtsa.national911@dot.gov.

ii. Performance Reports

Each grant recipient shall submit an annual performance report to NHTSA, following the procedures of 2 CFR § 200.328, within 90 days after each fiscal year that grant funds are available, except for when a final report is required during closeout.

iii. Federal Financial Report

Each grant recipient shall submit quarterly financial reports to NHTSA, following the procedures of 2 CFR § 200.327, within 30 days after each fiscal quarter that grant funds are available, except when a final voucher is required during closeout. Grant recipients must report on obligations and expenditures using the Federal Financial Report (Standard Form 425). A report must be submitted for each calendar quarter that the grant is active, including partial calendar quarters or when no financial activity occurs.

iv. Closeout Report

The right to incur costs under this part will expire as of the end of the period of performance. The grant recipient and its subrecipients and contractors may not incur costs for Federal reimbursement past the expiration date.

Within 90 days after the completion of projects and activities funded under this part, but in no event later than the expiration date identified in the grant award, each grant recipient must submit a final voucher for the costs incurred, which constitutes the final financial reconciliation for the grant award, and a final report to NHTSA, following the procedures of 2 CFR § 200.343(a).

Any funds that remain unexpended after closeout shall cease to be available to the recipient and shall be returned to the government.

c) Recipient Integrity and Performance Matters

In accordance with section 872 of Public Law 110-417 (as amended; see 41 U.S.C. 2313), if the total value of a recipient's 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 an award made under this NOFO, then the recipient shall be subject to the requirements specified in Appendix XII to 2 CFR Part 200,²¹ for maintaining the currency of information reported to SAM that is made available in the Federal Awardee Performance and Integrity Information System (FAPIIS) about certain civil, criminal, or administrative proceedings involving the recipient.

d) Audit Requirements

2 CFR Part 200 Subpart F, adopted by the Department of Commerce through 2 CFR § 1327.101 and by the Department of Transportation through 2 CFR § 1201.1, requires any non-Federal entity (e.g., non-profit institutions of higher education and other non-profit organizations) that expends Federal awards of \$750,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the Subpart. Applicants are reminded that the Agencies, the Department of Transportation Office of Inspector General, the Department of Commerce Office of Inspector General, or another authorized Federal agency may conduct an audit of an award at any time.

e) Federal Funding Accountability and Transparency Act of 2006

²¹ See 2 CFR Part 200, Appendix XII, available at <http://go.usa.gov/cTBwC>.

In accordance with 2 CFR Part 170, all recipients of a Federal award made on or after October 1, 2010, are required to comply with reporting requirements under the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282). In general, all recipients are responsible for reporting sub-awards of \$25,000 or more. In addition, recipients that meet certain criteria are responsible for reporting executive compensation. Applicants must ensure they have the necessary processes and systems in place to comply with the reporting requirements should they receive funding.²²

G. Federal Awarding Agency Contact(s)

1. Please direct programmatic inquiries to:

Daniel Phythyon
Telecommunications Policy Specialist, Office of Public Safety Communications
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue, NW, Room 4076
Washington, DC 20230
Phone: (202) 482-5018
Email: dphythyon@ntia.doc.gov

Laurie Flaherty
Coordinator, National 911 Program
Office of Emergency Medical Services
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE, NPD-400
Washington, DC 20590
Phone: (202) 366-2705
Email: Laurie.Flaherty@dot.gov

2. Please direct media inquiries to:

Stephen F. Yusko
Public Affairs Specialist
Office of Public Affairs
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue NW, Room 4897
Washington, DC 20230
Phone: (202) 482-7002
Email: press@ntia.doc.gov

²² See OMB, Requirements for Federal Funding Accountability and Transparency Act Implementation, Interim final guidance to agencies with opportunity to comment, 75 FR 55663 (Sep. 14, 2010), available at <http://go.usa.gov/hKnQ>.

Karen Aldana
Public Affairs Specialist
Office of Communications and Consumer Information
National Highway Traffic Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue SE, Room W52-306
Washington, DC 20590
Phone: (202) 366-3280
Email: Karen.aldana@dot.gov

H. Other Information

1. Protected and Proprietary Information. The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance, and other reports submitted by applicants, may be used by the Agencies in conducting reviews and evaluations of their financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed, and evaluated by the Agencies' employees, other Federal employees, Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate confidentiality and nondisclosure agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperation with the Agencies and external program evaluators. In accordance with 2 CFR 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce or Department of Transportation financial assistance award.

The Agencies will protect confidential and proprietary information from public disclosure to the fullest extent authorized by applicable law, including the Freedom of Information Act (FOIA), as amended (5 U.S.C. 552), the Trade Secrets Act, as amended (18 U.S.C. 1905), and the Economic Espionage Act of 1996 (18 U.S.C. 1831 *et seq.*). Applications submitted in response to this NOFO may be subject to requests for release under the FOIA. In the event that an application contains information or data that the applicant deems to be confidential commercial information that is exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law.

Additionally, some of the information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under Federal control is subject to request made pursuant to the FOIA, 5 U.S.C. 552, all determinations

concerning the release of information of this nature are made on a case-by-case basis and may fall within one or more of the available exemptions under the FOIA. The applicant is encouraged to consult its own State and local laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application. The applicant may consult with the Agencies regarding concerns or questions about the release of information under State and local laws. The applicant should be familiar with the regulations governing Protected Critical Infrastructure Information (6 CFR Part 29) and Sensitive Security Information (49 CFR Part 1520), as these designations may provide additional protection to certain classes of homeland security information.

2. Discretionary Awards. The Federal government is not obligated to make any award as a result of this NOFO and will fund only projects that are deemed likely to achieve the 911 Grant Program's goals and for which funds are available.

3. Third Party Beneficiaries. The 911 Grant Program is a discretionary grant program that is not intended to and does not create any rights enforceable by third party beneficiaries.

4. Waiver Authority. It is the general intent of the Agencies not to waive any of the provisions set forth in this NOFO. However, under extraordinary circumstances and when it is in the best interest of the Federal government, the Agencies, upon their own initiative or when requested, may waive the provisions in this NOFO. Waivers may only be granted for requirements that are discretionary and not mandated by statute or other applicable law. Any request for a waiver must set forth the extraordinary circumstances for the request.

5. Administrative Procedure Act. The effective date of this NOFO is the date of publication. The Administrative Procedure Act's required 30-day delay in effective date for substantive rules does not apply here as this rule concerns grants. *See* 5 U.S.C. 553(a)(2).

6. Regulatory Flexibility Act. The Chief Counsel for Regulation of the Department of Commerce and the Assistant Chief Counsel for the National Highway Traffic Safety Administration certified to the Small Business Administration Office of Advocacy at the proposed rule stage that this final rule is not expected to have a significant economic impact on a substantial number of small entities. Congress enacted the Regulatory Flexibility Act of 1980 (RFA), as amended, 5 U.S.C. 601-612, to ensure that government regulations do not unnecessarily or disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule would have a significant economic impact on a substantial number of small entities. The majority of potential applicants (56) for 911 grants are U.S. States and Territories, which are not "small entities" for the purposes of the RFA. *See* 5 U.S.C. 601(5). The remaining potential grant applicants are a small number of Tribal Organizations (approximately 13) with a substantial emergency management/public safety presence within their jurisdictions. Like States, Tribal Organizations are not "small entities" for the purposes of the RFA. *See* Small Business Regulatory Flexibility Improvements Act of 2015, S. 1536, 114th Cong. § 2(d) (2015) (proposing to add Tribal Organizations to the RFA's "small governmental jurisdiction" definition, one of three categories of "small entities" in the RFA). Therefore, we have determined under the RFA that this final rule would not have a significant economic impact

on a substantial number of small entities. Accordingly, no Regulatory Flexibility Analysis is required, and none has been prepared.

7. Paperwork Reduction Act. This NOFO contains an information collection requirement subject to the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*). The PRA requires each Federal agency to seek and obtain OMB approval before collecting information from the public. Federal agencies may not collect information unless it displays a currently valid OMB control number. OMB has approved the Agencies' requests to use previously-approved Standard Forms 424 (Application for Federal Assistance), 424A (Budget Information for Non-Construction Programs), 424B (Assurances for Non-Construction Programs), 424C (Budget Information for Construction Programs), 425 (Federal Financial Report), and SF-LLL (Disclosure for Lobbying Activities) under the respective control numbers 4040-0004, 4040-0005, 4040-0006, 4040-0007, 4040-0014, and 4040-0013. OMB pre-approved the Agencies' information collection request for the State 911 Plans and the Annual Performance Reports and assigned it control number 0660-0041.

The Agencies received no comments in response to their requests to utilize common forms or their information collection request for the State 911 Plans and Annual Performance Reports. The approved requests to use common forms and approved information collection request may be viewed at reginfo.gov.

8. National Environmental Policy Act. The Agencies have reviewed the 911 Grant Program for the purposes of the National Environmental Policy Act. The Agencies have determined that this grant program would not have a significant impact on the quality of the human environment.

9. Policy on Seat Belt Use. In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. NHTSA is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Networks of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicles crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

10. Policy on Banning Text Messaging While Driving. In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States and Tribal Organizations are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States and Tribal Organizations are also encouraged to conduct workplace safety initiatives in a manner

commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, education awareness, and other outreach to employees about the safety risks associated with texting while driving.

Appendix A To Part 400 –
Initial Certification For 911 Grant Applicants – States

(To be submitted as part of the initial application)

I. On behalf of [State/Territory], I, [print name], hereby certify that:

(check **only one** box below)

- [State or Territory] has established by law or regulation [name of 911 office/coordinator] with the authority to manage 911 services in the State, and I am its representative. See [citation to State law or rule]. [Name of 911 office/coordinator] will serve as the designated 911 Coordinator.
- [State or Territory] does not have an office or coordinator with the authority to manage 911 services, and the Governor of [State or Territory] has designated

(check **only one** circle below)

- me as the State's single officer to serve as the 911 Coordinator of 911 services implementation; or
- [governmental body] as the State's single governmental body, to serve as the 911 Coordinator of 911 services implementation, and I am its representative.

(check **all** boxes below)

- The State has coordinated the application with local governments, Tribal Organizations and PSAPs within the State.
- The State has established a State 911 Plan, consistent with the implementing regulations, for the coordination and implementation of 911 services, E-911 services, and Next Generation 911 services.
- The State will ensure that at least 90 percent of the grant funds are used for the direct benefit of PSAPs.
- The State has integrated telecommunications services involved in the implementation and delivery of 911 services, E-911 services, and Next Generation 911 services.

II. I further certify that the State has not diverted and will not divert any portion of designated 911 charges imposed by the State for any purpose other than the purposes for which such charges are designated or presented from the time period 180 days preceding the date of the application and continuing through the time period during which grant funds are available.

I further certify that no taxing jurisdiction in the State that will receive 911 grant funds has diverted any portion of the designated 911 charges for any purpose other than the purposes for which such charges are designated or presented from the time period 180 days preceding the date of the application.

I further certify that the State will ensure that each taxing jurisdiction in the State that receives 911 grant funds does not divert any portion of designated 911 charges imposed by the taxing jurisdiction for any purpose other than the purposes for which such charges are designated during the time period which grant funds are available.

I agree that, as a condition of receipt of the grant, the State will return all grant funds if the State obligates or expends, at any time for the full duration of this grant, designated 911 charges for any purpose other than the purposes for which such charges are designated or presented, eliminates such charges, or redesignates such charges for purposes other than the

implementation or operation of 911 services, E-911 services, or Next Generation 911 services, and that if a taxing jurisdiction in the State that receives 911 grant funds diverts any portion of designated 911 charges imposed by the taxing jurisdiction for any purpose other than the purposes for which such charges are designated during the time period which grant funds are available, the State will ensure that 911 grant funds distributed to that taxing jurisdiction are returned.

III. I further certify that the State will comply with all applicable laws and regulations and financial and programmatic requirements for Federal grants.

Signature of State 911 Coordinator
(or representative of single governmental body)

Title

Date

**Appendix B To Part 400 –
Initial Certification For 911 Grant Applicants – Tribal Organizations**

(To be submitted as part of the initial application)

- I. On behalf of [*Tribal Organization*], I, [*print name*], hereby certify that:
(check **all** boxes below)
- The Tribal Organization has coordinated the application with PSAPs within its jurisdiction.
 - The Tribal Organization has established a 911 Plan, consistent with the implementing regulations, for the coordination and implementation of 911 services, E-911 services, and Next Generation 911 services.
 - The Tribal Organization will ensure that at least 90 percent of the grant funds are used for the direct benefit of PSAPs.
 - The Tribal Organization has integrated telecommunications services involved in the implementation and delivery of 911 services, E-911 services, and Next Generation 911 services.
- II. I further certify that the taxing jurisdiction (or jurisdictions) within which the Tribal Organization is located has not diverted and will not divert any portion of designated 911 charges imposed by the taxing jurisdiction (or jurisdictions) within which the Tribal Organization is located for any purpose other than the purposes for which such charges are designated or presented from the time period 180 days preceding the date of the application and continuing through the time period during which grant funds are available.
- III. I agree that, as a condition of receipt of the grant, the Tribal Organization will return all grant funds if the taxing jurisdiction (or jurisdictions) within which the Tribal Organization is located obligates or expends, at any time for the full duration of this grant, designated 911 charges for any purpose other than the purposes for which such charges are designated or presented, eliminates such charges, or redesignates such charges for purposes other than the implementation or operation of 911 services, E-911 services, or Next Generation 911 services.
- IV. I further certify that the Tribal Organization will comply with all applicable laws and regulations and financial and programmatic requirements for Federal grants.
- V. The single State officer or government body serving as the 911 Coordinator of implementation of 911 services in each State in which the Tribal Organization is located is _____.

Signature of Responsible Official

Title

Date

Appendix C To Part 400 –
Annual Certification For 911 Grant Recipients – States

(To be submitted annually after grant award while grant funds are available)

On behalf of [*State/Territory*], I, [*print name*], hereby certify that the State has not diverted any portion of designated 911 charges imposed by the State for any purpose other than the purposes for which such charges are designated or presented from the time period 180 days preceding the date of the application and continuing throughout the time period during which grant funds are available.

I further certify that no taxing jurisdiction in the State that will receive 911 grant funds has diverted any portion of the designated 911 charges for any purpose other than the purposes for which such charges are designated or presented from the time period 180 days preceding the date of the application.

I further certify that the State will ensure that each taxing jurisdiction in the State that receives 911 grant funds does not divert any portion of designated 911 charges imposed by the taxing jurisdiction for any purpose other than the purposes for which such charges are designated during the time period which grant funds are available.

I agree that, as a condition of receipt of the grant, the State will return all grant funds if the State obligates or expends, at any time for the full duration of this grant, designated 911 charges for any purpose other than the purposes for which such charges are designated or presented, eliminates such charges, or redesignates such charges for purposes other than the implementation or operation of 911 services, E-911 services, or Next Generation 911 services, and that if a taxing jurisdiction in the State that receives 911 grant funds diverts any portion of designated 911 charges imposed by the taxing jurisdiction for any purpose other than the purposes for which such charges are designated during the time period which grant funds are available, the State will ensure that 911 grant funds distributed to that taxing jurisdiction are returned.

Signature of State 911 Coordinator
(or representative of single governmental body)

Title

Date

Appendix D To Part 400 –
Annual Certification For 911 Grant Recipients – Tribal Organizations

(To be submitted annually after grant award while grant funds are available)

On behalf of [*Tribal Organization*], I, [*print name*], hereby certify that the taxing jurisdiction (or jurisdictions) within which the Tribal Organization is located has not diverted and will not divert any portion of designated 911 charges imposed by the taxing jurisdiction (or jurisdictions) within which the Tribal Organization is located for any purpose other than the purposes for which such charges are designated or presented from the time period 180 days preceding the date of the application and continuing through the time period during which grant funds are available.

I further certify that the Tribal Organization will ensure that the taxing jurisdiction (or jurisdictions) within which the Tribal Organization is located that receives 911 grant funds does not divert any portion of designated 911 charges imposed by the taxing jurisdiction (or jurisdictions) for any purpose other than the purposes for which such charges are designated during the time period which grant funds are available.

I agree that, as a condition of receipt of the grant, the Tribal Organization will return all grant funds if the taxing jurisdiction (or jurisdictions) within which the Tribal Organization is located obligates or expends, at any time for the full duration of this grant, designated 911 charges for any purpose other than the purposes for which such charges are designated or presented, eliminates such charges, or redesignates such charges for purposes other than the implementation or operation of 911 services, E-911 services, or Next Generation 911 services.

Signature of Responsible Official

Title

Date