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SAA Information Bulletin

No. 15-001

November 5, 2014

To: All Councils of Government
All Texas State Homeland Security Grant Program Points of Contact
Urban Areas Security Initiatives (UASI) Points of Contact

From: Garry Jones
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Subject: Allowability and Clarification of Weapons and Weapons Accessories

Effective Date: November 5, 2014

Purpose: This information bulletin provides clarification as to what is considered allowable and unallowable in regards to weapons and weapons accessories for sub-recipients of Homeland Security Grant Program (HSGP) funds seeking reimbursement from the Texas Homeland Security State Administrative Agency (THSSAA).

Scope: This information bulletin applies to all entities submitting expenditures that are partially or entirely funded with Homeland Security Grant Program funds.

Guidance: "Per FEMA policy, the purchase of weapons and weapons accessories is not allowed with HSGP funds" (*e.g. see the 2014 Homeland Security Grant Program Funding Opportunity Announcement – Unallowable Costs (page 57)*). However, accessories that are commonly associated with them may be allowable. The following general guidelines are used to determine allowability:

1. Is the item designed to be a lethal or less lethal weapon?
2. Is the item designed to be attached to a lethal or less lethal weapon?
3. Is the item's primary use to enhance the lethality of a weapon?
4. How will the item be used?

Determination Examples:

1. The City of X would like to purchase night vision and subject designator devices for their SWAT Team. They request the following equipment:
 - A. Weapon Mounted Night Vision Device
 - B. Omega Night Vision Binoculars
 - C. Weapon Mounted LED Mini Integrated Pointing Illumination Module

Items A and C would be unallowable because they are designed to attach to a weapon and enhance the lethality. However, item B would be allowable because it does not attach to a weapon nor enhance the lethality of the weapon.

2. The City of Z would like to outfit their SWAT Team with new body armor and accessories. The pouches are planned to be purchased separately in order to customize the vests for their specific needs. They request the following:

- A. Armored Vest and Plate Carrier
- B. Level IV Hard Armor Plate
- C. Large Utility Pouch
- D. Medical Pouch MOLLE
- E. Radio Pouch
- F. Double Mag Pouch
- G. 2 Point Padded Sling

Items F and G are unallowable. Item F because it holds the ammunition and therefore enhances the lethality of the weapon and item G is unallowable because it is designed to attach to a weapon and item. The other items are allowable.

Additional Allowability Examples and Restrictions:

1. If you are planning on using a device that can attach to a weapon in a detached mode only, it is still unallowable. An example would be if you are purchasing a spotting scope that attaches to a rifle but you are attaching it to a gun stock that has no trigger mechanism, it is still unallowable.
2. If you purchase a device (e.g. night vision) that can be attached to any rifle accessory (e.g. rifle scope) it would also be unallowable.
3. Some weapons related trainings are not allowable:
 - a. Weapon specific training (e.g. sharp shooter/sniper training)
 - b. Training where live rounds are being used will be reviewed on a case by case basis by the SAA for allowability. *(also see #7 below)*
 - c. Training that is not FEMA approved.
 - d. Basic law enforcement training (e.g. law enforcement academy training or other routine training for law enforcement officers)
4. Most weapons and weapon accessories are restricted and may only be purchased for a NIMS typed team. Refer to the Responders Knowledge Base (RKB) under the Allowable Equipment List (AEL) Codes for more information.
5. Some equipment may require additional prior approval by FEMA on a case by case basis (e.g. simunitions, specialized training devices, training, etc.).
6. **All expenditure requests must have THSSAA approval *prior to purchase*.**
7. **No ammunition will be purchased with HSGP funding for any reason.**

General Allowability Chart:

This chart is just a reference and not all inclusive. If there is an item not listed and/or you have questions about an item, please call your Grant Coordinator for assistance.

Item Name	Allowable	Unallowable	Reason(s) 1. Weapons mountable 2. Enhances the lethality 3. Weapon/Less lethal Weapon
Armor Plate	X		
Armored Vest	X		
Batons		X	3
Binoculars	X		
Bi-pods and Tri-pods (Non Weapon Mounted)	X		
Bi-pods and Tri-pods (Weapon/Rail Mounted)		X	1
Energetic Materials (explosive materials)	The SAA will review on a case by case basis and will follow FEMA's Policy #FP 104-008-207-1 on Energetic Materials for bomb squad training only. (Policy Link)		

Item Name	Allowable	Unallowable	Reason(s) 1. Weapons mountable 2. Enhances the lethality 3. Weapon/Less lethal Weapon
Flashbangs/Grenades		X	3
Gun Racks		X	1,2
Guns		X	3
Holsters (Gun or Taser)		X	1,2
Laser Pointing Device (Non Weapon Mounted)	X		
Laser Pointing Device (Weapon/Rail Mounted)		X	1,2
Laser Range Finders (Non Weapon Mounted)	X		
Laser Range Finders (Weapon/Rail Mounted)		X	1,2
Long Range Acoustic Device (LRAD)	LRAD's will be reviewed on a case by case basis by the SAA. NOTE: The SAA may require the sub-grantee to submit a certification indicating the device will not be used as a less lethal weapon.		
Night Vision Binoculars	X		
Night Vision Device (Non Weapon Mounted)	X		
Night Vision Device (Weapon/Rail Mounted)		X	1,2
Night Vision Scopes (Non Weapon Mounted)	X		
Night Vision Scopes (Weapon/Rail Mounted)		X	1,2
Pintle Mounts		X	1,2
Plate Carrier	X		
Pointing Illumination Module - Flashlight (Non Weapon Mounted)	X		
Pointing Illumination Module - Flashlight (Weapon/Rail Mounted)		X	1,2
Pointing Laser Module (Non Weapon Mounted)	X		
Pointing Laser Module (Weapon/Rail Mounted)		X	1,2
Pouch - Radio	X		
Pouches - Flashlight	X		
Pouches - Mag		X	2
Pouches - Medical	X		
Pouches - Utility	X		
Slings (Non Weapon Mounted)	X		
Slings (Weapon Mounted)		X	1,2
Spotting Scopes (Non Weapon Mountable)	X		
Spotting Scopes (Weapon/Rail Mounted)		X	1,2
Tasers		X	3
Thermal Scopes (Non Weapon Mountable)	X		
Thermal Scopes (Weapon/Rail Mountable)		X	1,2
Thermal Vision Device (Non Weapon Mounted)	X		
Thermal Vision Device (Weapon/Rail Mounted)		X	1,2
Training - FBI Bomb squad (FEMA approved)	X		
Training - SWAT Sniper		X	2
Other Less lethal Weapons		X	1,2