# **Ohio EMA**

# **Waiver Request**

Any jurisdiction requesting funding for the purchase of Small Unmanned Aircraft Systems or Watercraft must complete Ohio EMA’s Waiver Request Form and submit to Ohio EMA, the State Administrative Agency (SAA). Using the Waiver Request Form, the entity requesting the Small Unmanned Aircraft Systems (sUAS) or Watercraft must include a clear and persuasive explanation demonstrating the need for the requested equipment and the purpose it will serve. This is in addition to any justifications and required policies outlined below. Please note sub-recipients may begin proper procurement of these items by obtaining the necessary number of qualified bids or quotes followed by vendor selection. Due to the lengthy waiver approval process, it is imperative that bids and quotes be valid for six months. The sub-recipient, however, may not obligate funds for the purchase until the FEMA waiver approval letter is received. Comprehensive sUAS guidance is available on the FAA’s website at <https://www.faa.gov.uas/>.

For SHSP and LE-SHSP grant projects – Any sUAS or watercraft project will still need to be worked through the regional process the same as any request for homeland security dollars. If the project receives appropriate approval/ranking in the region and is submitted to Ohio EMA, additional steps must be taken by the applicant by working with the fiscal agent to submit for waiver approval.

1. **Background Information**
2. Date of Request: Click here to enter a date.
3. Grantee Name: Click here to enter text.
4. Grant Number (Federal Pass-Thru #): Click here to enter text.
5. Fiscal Year: Click here to enter text.
6. Grant Program: Choose a grant program.
7. Item Requested: Click here to enter text.
8. Intended Use of Item: Click here to enter text.
9. Applicable AEL Category (check the appropriate box below and complete the corresponding sections that follow):

CBRNE Operational, Search, and Rescue Equipment, *03OE-07-SUAS - System, Small Unmanned Aircraft -* Complete Sections I, II, III, and V, and VI

CBRNE Prevention and Response Watercraft, *17WC-00-BOAT - Watercraft, CBRNE Prevention and Response -* Complete Sections I, II, IV, V and VI

1. Core Capabilities (*select all that apply*):

Planning

Public Information and Warning

Operational Coordination

Forensics and Attribution

Intelligence and Information Sharing

Interdiction and Disruption

Screening, Search, and Detection

Awareness Control and Identity

Verification

Cybersecurity

Physical Protective Measures

Risk Management for Protection

Programs and Activities

Supply Chain Integrity and Security

Community Resilience

Long Term Vulnerability Reduction

Risk and Disaster Resilience

Assessment

Threats and Hazard Identification

Critical Transportation

Environmental Response/Health and Safety

Fatality Management Services

Infrastructure Systems

Mass Care Services

Mass Search and Rescue Operations

On-scene Security and Protection

Operational Communications

Public and Private Services and

Resources

Public Health and Medical Services

Situational Assessment

Economic Recovery

Health and Social Services

Housing

Natural and Cultural Resources

1. Cost Category Choose one cost category.
2. **Small Unmanned Aircraft Systems Justification**

*Attach a separate sheet to complete the following:*

1. Provide a complete description/specification(s) of the UAS to include, but not limited to, make, model, operating weight, and manufacturer’s country of origin;
2. Include a line-item breakdown of cost(s) contained in the request (e.g., aircraft, cameras, sensors, monitors, accessories, etc.);
3. Explain the method used to determine cost reasonableness;
4. Provide the number of neighboring jurisdictions and/or response agencies with similar sharable capabilities;
5. Justify the need for the UAS and how the requested platform best meets that need as compared to other options.
6. Explain how the requested UAS fits into the State/Urban Area's integrated operational plans.
7. Explain what types of terrorism incident response and prevention equipment with which the requested UAS will be outfitted. Note: This needs to have a CLEAR terrorism nexus and terrorism response is to be the primary use above all else
8. Describe how this UAS will be used operationally and which response assets will be deployed using the requested aircraft.
9. Describe how this UAS will be utilized on a regular, non-emergency basis.
10. Certify that you have reviewed and understand the DHS Cybersecurity and Infrastructure Security Agency (CSIA), Unmanned Aircraft Systems (UAS) Fact Sheets at <https://www.dhs.gov/publication/uas-fact-sheets> and DHS CISA, Chinese Manufactured Unmanned Aircraft Systems Industry Alert (updated and located on the Homeland Security Information Network (HSIN))
11. **UAS Policies and Procedures**

Additionally, pursuant to the February 20, 2015, Presidential Memorandum titled Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties, in Domestic Use of Unmanned Aircraft Systems, <https://obamawhitehouse.archives.gov/the-press-office/2015/02/15/presidential-memorandum-promoting-economic-competitiveness-while-safegua> recipients and sub-recipients of Federal funding for the purpose or use of UAS of their own operations are required to have in place policies and procedures to safeguard individuals' privacy, civil liberties prior to expending such funds for the use of UAS.  Policies and procedures must conform to the Presidential Memorandum and be included with the waiver request submission. This requirement applies to the jurisdiction that will purchase, take title to, or otherwise use the UAS equipment.

*Attach a copy of the UAS Policies and Procedures for each of the jurisdictions which will be operating the sUAS. In order to reduce delays in the waiver review and approval process, please ensure the following specifics from the presidential memorandum are addressed:*

1. Privacy Protections

(i) Collection and Use. Agencies shall only collect information using UAS, or use UAS-collected information, to the extent that such collection or use is consistent with and relevant to an authorized purpose.

(ii) Retention. Information collected using UAS that may contain PII shall not be retained for more than 180 days unless retention of the information is determined to be necessary to an authorized mission of the retaining agency or is required to be retained for a longer period by any other applicable law or regulation.

(iii) Dissemination. UAS-collected information shall not be disseminated outside of the agency unless dissemination is required by law, or fulfills an authorized purpose and complies with agency requirements.

1. Civil Rights and Civil Liberties Protections

(i) ensure that policies are in place to prohibit the collection, use, retention, or dissemination of data in any manner that would violate the First Amendment or in any manner that would discriminate against persons based upon their ethnicity, race, gender, national origin, religion, sexual orientation, or gender identity, in violation of law

(ii) ensure that UAS activities are performed in a manner consistent with the Constitution and applicable laws, Executive Orders, and other Presidential directives

(iii) ensure that adequate procedures are in place to receive, investigate, and address, as appropriate, privacy, civil rights, and civil liberties complaints.

1. Accountability

(i)ensure that oversight procedures for agencies' UAS use, including audits or assessments, comply with existing agency policies and regulations;  
(ii) verify the existence of rules of conduct and training for personnel and contractors who work on UAS programs, and procedures for reporting suspected cases of misuse or abuse of UAS technologies;

(iii) establish policies and procedures, or confirm that policies and procedures are in place, that provide meaningful oversight of individuals who have access to sensitive information (including any PII) collected using UAS;  
(iv) ensure that any data-sharing agreements or policies, data use policies, and record management policies applicable to UAS conform to applicable laws, regulations, and policies;  
(v) establish policies and procedures, or confirm that policies and procedures are in place, to authorize the use of UAS in response to a request for UAS assistance in support of Federal, State, local, tribal, or territorial government operations; and

1. Transparency -while not revealing information that could reasonably be expected to compromise law enforcement or national security:

(i) provide notice to the public regarding where the agency's UAS are authorized to operate in the National Air Space (NAS);  
(ii) keep the public informed about the agency's UAS program as well as changes that would significantly affect privacy, civil rights, or civil liberties; and  
(iii) make available to the public, on an annual basis, a general summary of the agency's UAS operations during the previous fiscal year, to include a brief description of types or categories of missions flown, and the number of times the agency provided assistance to other agencies, or to State, local, tribal, or territorial governments.

(iv) additional items to address:

* + - * + Enhance the transparency of the UAS by providing public notice when UAS operations are going to be conducted, if possible.
        + Obviously this is challenging for some UAS use, but for planned events and exercises, the jurisdiction should inform the public through its website, media releases, or social media pages.

Licensing, registration fees, insurance, and all ongoing operational expenses are the responsibility of the recipient of the local units of government and are not allowable under federal preparedness grants.

1. **Watercraft Justification**

*Attach a separate sheet to complete the following:*

1. Please justify the need for the watercraft and how the requested platform best meets that need as compared to other options.
2. Please explain how the requested watercraft fits into the State/Urban Area's integrated operational plans.
3. Please explain what types of terrorism incident response and prevention equipment with which the requested watercraft will be outfitted.
4. Please describe how this watercraft will be used operationally and which response assets will be deployed using the requested watercraft.
5. Please describe how this watercraft will be utilized on a regular, non-emergency basis.
6. **Budget Breakdown - sUAS and Watercraft**

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| ***Equipment Item Requested (please provide specific item information)\**** | ***Anticipated Cost*** |
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| ***Total Cost*** |  |

\* *Details of the equipment item(s) requested are to be provided. The budget breakdown must include estimated costs and specifications, i.e., 12’ boat - xyz brand with an abc outboard motor. Although this is stating a brand name, it is allowed if proper procurement of the item(s) has begun by obtaining the necessary, qualified number of bids or quotes, followed by the item (vendor) selected, but not yet obligated. FEMA is wanting specifics in order to record this information on the waiver approval.*

1. **Contact Information**

Project contact name Click here to enter text.

Project contact phone Click here to enter text.

Project Contact email Click here to enter text.

Ohio EMA Review/Approval \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_

Sub-recipient Signatory \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_

FEMA Waiver Approval Date \_\_\_\_\_\_\_\_

***Please submit this completed waiver request, along with detailed answers to the above questions and all applicable policies and procedures, by email to Ohio EMA c/o your Grants Specialist.***