Section 120.10 Purpose and Scope

This Part establishes the criteria for State grants to non-profit organizations at high risk of attack by a terrorist organization, network, or cell. The grants shall be used to assist the non-profit organizations in preventing, preparing for, or responding to acts of terrorism. This Part will also establish application requirements, procedures for submission of grant applications, and the issuance of grant funds.

Section 120.15 Definitions

“Act” means the Illinois Emergency Management Agency Act [20 ILCS 3305/].

“Applicant” means an eligible non-profit organization.

“GATA” means the Grant Accountability and Transparency Act [30 ILCS 708/].

“Grant Performance Period” means a 3-year period beginning and ending as specified in the Grant Agreement.

“Grant Recovery Act” means the Illinois Grant Funds Recovery Act [30 ILCS 705/].

“Grantee” means an applicant awarded a grant under this Part.


“NOFO” means the Notice of Opportunity for Funding issued by IEMA.
“Project” means target-hardening activities, which can be accomplished through the purchase or installation of security equipment on real property or contracted security personnel.

“Site” means the location where the funding will be used to complete the Project as specified in the application.

Section 120.20 Eligibility

A. Pursuant to Section 5(g-5) of the Act, only non-profit organizations exempt from Federal income taxation under section 501(c)(3) of the Federal Internal Revenue Code are eligible for this grant.

B. The location of the Project, as identified by the Applicant during the application process, shall be in the State of Illinois and shall remain located in the State for a minimum of 5 years after the end of the grant performance period.

C. Proposed projects cannot be listed or claimed, in part or in whole, under any Federal grant application for the Grant Performance Period.

D. Eligible Projects.

1. Projects eligible for funding will be identified in the Notice of Opportunity for Funding (NOFO).

2. The Applicant can request up to 5% of the total grant award for management and administration costs. Such management and administration costs shall be included in the requested grant award amount, rather than in addition to the requested amount.

E. Prohibitions.

1. Applicants should check SAM.gov (https://sam.gov/content/exclusions) and the NOFO for exclusions and prohibited uses to prevent entering into a prohibited transaction.

2. An Applicant awarded grant funding may be required to certify that it is in compliance with applicable Federal, State and, local prohibitions in the Grant Agreement described in Section 120.50.

Section 120.30 Application Requirements

A. IEMA will issue competitive grants, as described in the NOFO, to Applicants that are approved for funding based upon a completed and approved application. Eligible non-profit organizations with one site may apply for funding for that site. Eligible non-profit organizations with multiple sites may apply for funding for up to three sites.

B. On the application, Applicants shall:

1. Indicate the legal name of the Applicant;

2. Provide a point of contact for the Project including email address;
3. Provide documentation confirming the Applicant meets the requirement in subsection 120.20(A).

4. Provide documentation or a narrative indicating compliance with subsection 120.30(C).

5. Identify and substantiate prior threats or attacks by a terrorist organization, network, or cell against the non-profit organization;

6. Indicate the symbolic or strategic value of one or more of the Applicant’s sites that renders the Project site a possible target of terrorism;

7. Discuss potential consequences to the organization if the Project site is damaged, destroyed, or disrupted by a terrorist act;

8. Describe how the grant funds will be used to integrate organizational preparedness with broader State and local preparedness efforts;

9. Submit a vulnerability assessment conducted by experienced security, law enforcement, or military personnel within the last 3 years, or since the most recent security improvements if they occurred within the last 3 years, and a description of how the grant award will be used to address the vulnerabilities identified in the assessment;

10. Provide a narrative statement that describes the Project proposed for funding and how the protective activities outlined in the project will reduce the vulnerability of the non-profit organization;

11. Provide the methodology that was used to determine the appropriate protective activities outlined in the Project, including list of law enforcement officials or other subject matter experts;

12. Provide a description of any equipment compatibility considerations;

13. Provide a Project budget and timeline;

14. Provide a copy of a long-term lease agreement that extends a minimum of 5 years from the date of the application if the project affects leased property; and

15. Submit any other relevant information as may be required by IEMA.

C. The Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/4) requires notification to and review by the Illinois Department of Natural Resources (IDNR) of “State agency undertakings” (including projects funded by State grants) that “can result in changes in the character or use of historic property, if any historic property is located in the area of potential effects.” Applicants should confirm prior to submitting an application that this requirement is not
applicable. Further information concerning this requirement can be found at https://www2.illinois.gov/dnrhistoric/Preserve/Pages/Resource-Protections.aspx. Applicants can also contact IEMA’s State Historic Preservation Office (SHPO) Coordinator with questions.

Section 120.40 Application Submission and Notification of Grant Award

A. There will be an initial application period; however, IEMA reserves the right to open additional application periods depending on funding.

B. An Applicant may submit only one application for funding per application period. An application may include multiple project sites as indicated in subsection 120.30(A).

C. IEMA, in collaboration with other venues, will provide notice that the grant application process is open. The NOFO shall include a deadline for receiving applications and details of the application process. Incomplete or late applications will not be considered.

D. Applicants shall submit grant applications as indicated in the NOFO.

E. The application is for a three-year performance period. Projects supported by this grant may not begin or end outside the dates specified in the Grant Agreement described in Section 120.50.

F. This is a competitive grant program. IEMA reserves the right to deny any grant applications or to provide reduced funding to any Applicant.

G. This grant program shall only be available for as long as funding is appropriated by the Illinois General Assembly for this purpose.

H. Grants will be awarded based on the following criteria:
   1. The necessity of the funding based on the vulnerability assessment provided by the Applicant;
   2. The ability of the funding to enhance the safety of the non-profit organization;
   3. An evaluation of the likelihood of Project completion during the Grant Performance Period;
   4. Review of proposed eligible equipment interoperability with existing equipment (if applicable);
   5. Prioritization of Projects by the Applicant;
   6. Sustainability of the Project, specifically including compliance with subsection 120.20(B); and
   7. The availability of funding.

I. Notification of grant awards will be sent to the point of contact indicated in the application when final grant funding allocations have been determined.
Section 120.50 Grant Agreement and Payment

A. IEMA shall execute a Grant Agreement with each Applicant to whom a grant is awarded. The Grant Agreement shall specify the parties to the grant, the Grant Performance Period, the amount of the grant, that unspent grant funds shall be returned to the State as required by the Illinois Grant Funds Recovery Act [30 ILCS 705], that the State of Illinois may audit records required to be maintained to verify that grant funds were used for permissible uses under the grant, and that the grant agreement shall cease if funds for the grant are not appropriated by the General Assembly, and any other standard provisions required to be included in grant agreements entered into by the State.

B. IEMA will send the Grant Agreement for signature to the point of contact indicated in the application. The Grant Agreement must be signed by both the Grantee and IEMA prior to funding being disbursed.

C. Following execution of the Grant Agreement, a Grantee shall submit a copy of documents that verify expenditures or anticipated expenditures to IEMA for review in accordance with the approved Project budget.

D. IEMA may either reimburse a Grantee for eligible expenditures or advance funds to a Grantee for eligible expenditures, but only upon the Grantee’s submission of a bid, invoice, or other official document showing the exact cost of the expenditure.

1. For advance payments, the Applicant must submit a request as indicated in the NOFO and include the information in subsection (a). Approval and administration of advance payments shall be governed by subsections (b) through (g).

   a. An Advance Payment Request Cash Budget Template (Cash Budget). Cash Budgets must be signed by either the Chief Executive Officer (or equivalent) or Chief Financial Officer (or equivalent) for the Applicant. The executive’s signature certifies that their entity complies with the requirements set forth in 2 CFR 200.302 (Financial Management) and 44 Ill. Admin. Code 7000.120(b)(i)(A) (Advance Payments). The Cash Budget must demonstrate the estimated monthly cash requirements for each month of the Grant Performance Period.

   b. If advance payment is requested, prior to approval, IEMA will perform or secure an assessment to ensure compliance with the specific language of GATA and any rules adopted pursuant to GATA. If the assessment does not ensure compliance with GATA and the rules promulgated thereunder, then IEMA may deny the request for advance payment.

   c. Upon approval by IEMA, advance payments shall be limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the Grantee in carrying out the purpose of the approved Project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the Grantee for Project costs. Additionally, the Grantee must make timely payments to contractors.
d. Upon approval for advance payment, an initial payment will be processed in an amount equal to the first three months' cash requirements as reflected in the submitted Advance Payment Cash Budget.

e. Grantees must submit invoices in the format and method prescribed in the Grant Agreement. Invoices must include only allowable incurred costs that have been paid by the Grantee.

f. Subsequent payments will be made quarterly based on the invoices submitted to IEMA and will be adjusted up or down, based on a comparison of actual cumulative expenditures to cumulative advance payments, to date.

g. Grantees that do not expend all advance payment amounts by the end of the Grant Performance Period or that are unable to demonstrate that all incurred costs were necessary, reasonable, allowable, or allocable as approved in their respective grant budget, shall return the funds within 45 days or be subject to grant funds recovery.

2. Unless a request for advance payment was received and approved as indicated in subsection 120.50(D)(1), Grantees will be paid via the reimbursement method or when they do not meet the requirements of 44 Ill. Admin. Code 7000.120(b)(2), upon a grantee's request to use the reimbursement method of payment, or as stipulated in a specific condition. Grantees that have specific conditions noted in their Grant Agreement for any of the following items must be paid using the reimbursement method:

   a. Fiscal and administrative high risk (weak internal controls);

   b. Have a history of failure to comply with general or specific terms and conditions of the Grant Agreement or any other grants issued by the State of Illinois

   c. Failure to meet expected performance goals as described in 2 CFR 200.211 or their Project deliverables as stated in their applicable Grant Agreement;

   d. Or otherwise not financially or programmatically responsible.

Section 120.60 Audit and Grant Fund Recovery

A. Grant funds shall be used exclusively for the Project identified in the grant application and shall be expended in accordance with this Part and the Grant Agreement.

B. Grantees shall maintain documentation of expenditures under the grant for a minimum of five years after the termination of the Grant Performance Period. Documentation shall be maintained so that it is readily accessible during an audit.

C. The State of Illinois shall have the right to inspect equipment procured and to audit and obtain copies of the books, records, and any other recorded information of the Grantee related to Grantee expenses for which Grantee received compensation under this Part.
D. The State of Illinois shall have the right of recovery of the grant funds in accordance with the provisions and procedures of the Illinois Grant Funds Recovery Act [30 ILCS 705], Grant Accountability and Transparency Act [30 ILCS 708], and 2 CFR 200.