



Meeting Minutes Nevada Commission on Homeland Security

Attendance	DATE		Monday, December 5, 2022		
	TIME		1:00 PM		
	METHOD		Zoom/Teleconference Conference line #: (669) 219-2599 Meeting ID# 686 738 8625		
	RECORDER		Sherrean Whipple		
Appointed Voting Member Attendance					
Member Name	Present	Member Name	Present	Member Name	Present
Governor Steve Sisolak	X	Joseph Lombardo	ABS	Lt. Governor Lisa Cano Burkhead	X
Darin Balaam	ABS	Col. Brett Compston	X	Todd Fasulo	X
Mitch Fox	X	Dr. Ikram Khan	X	Charles Moore	X
Richard Perkins	X	Harriett Parker	ABS	John Steinbeck	ABS
Rosemary Vassiliadis	ABS	Patricia Wade	X	Spencer Evans	X
Bill Welch	X				
Appointed Non-Voting Member Attendance					
Karen Burke	X	Gonzalo Cordova	X	Christopher Ipsen	ABS
David Fogerson	X	Aakin Patel	X		
Legal and Support Staff Attendance					
Samantha Ladich	X	Sherrean Whipple	X		

1. CALL TO ORDER AND ROLL CALL

Governor Steve Sisolak called the meeting to order. Roll call was performed by Sherrean Whipple, Nevada Division of Emergency Management and Homeland Security (DEM/HS). Quorum was established for the meeting.

2. PUBLIC COMMENT

Governor Steve Sisolak opened the first period of public comment for discussion.

David Fogerson, Chief of DEM/HS, noted that concerns brought forth to the Division and to the Department of Public Behavioral Health were unable to be agendaized for today's meeting given the timing the issues came forward. Chief Fogerson reported that the concerns included healthcare staffing shortages and the shortage of facility available beds given the pediatric RSV and seasonal flu. Chief Fogerson indicated that this impacts the Emergency Management of Homeland Security Enterprise in that if there is a multi-casualty incident, the

availability of bed space could be a concern. As such, Chief Fogerson reported that a meeting was held the previous week with Nevada Hospital Association, Public Behavioral Health, the Governor's Office, Clark County, Washoe County, and DEM/HS to try and address these issues. Chief Fogerson indicated that some pass forward was found to assist with staffing issues that are allowed by facilities through working with the Department of Public and Behavioral Health. Chief Fogerson further indicated the facilitation of some programs with the nursing Board by which facilities indicating new nursing licensing is needed for hired employees will allow for that licensing to immediately get processed, and should they meet all applicant requirements, immediately to be issued a temporary license.

3. APPROVAL OF MINUTES

Governor Steve Sisolak called for a motion to amend or amend and approve the draft minutes from the September 12, 2022, Nevada Commission on Homeland Security (Commission) meeting. Dr. Ikram Kahn, President, Quality Care Consultants, motioned to approve the minutes with the correction. No discussion was presented. All were in favor with no opposition, and the motion passed with the correction, unanimously.

4. REPORT ON THE STATEWIDE ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

David Fogerson, Chief of DEM/HS, informed the Commission that immediately prior to this meeting, a last-minute mem was sent indicating that there are additional items than those normally addressed in this agenda item. Chief Fogerson explained that the training for the Incident Management System continues statewide with great progress. Chief Fogerson reported that DEM/HS has conducted an after-action review from the COVID incident, which has supplied some additional thoughts to be incorporated into trainings in hopes of improvement. Chief Fogerson discussed that Active Assailant Training continues statewide in conjunction with the grant BPS received through DEM/HS. Chief Fogerson discussed some of the issues and misunderstandings that have arisen with these trainings through which DEM/HS continues to work with the intent of ensuring that everyone understands and manages expectations on both sides. Chief Fogerson next informed the Commission that the Ely Shoshone Tribe informed DEM/HS last week that they wished to become part of the Intrastate Mutual Aid Program provided under NRS 414(a). Chief Fogerson explained that under this plan, all state and public entities are opted into the system, but that tribal nations have to opt in by tribal resolution. Chief Fogerson indicated that the Ely Shoshone Tribe joins the Reno-Sparks Indian Colony, the Las Vegas Paiute Tribe, the Yerington Paiute Tribe, the Pyramid Lake Tribe, and the Washoe Tribe of California and Nevada as a partner on the Intrastate Mutual Aid Plan, a plan where resources are shared among all jurisdictions, whether at the local, city, county, or state level. Chief Fogerson indicated that the plan provides a reimbursement mechanism for DEM/HS to use so that everyone understands what they are getting into when offering help. Chief Fogerson concluded his presentation by informing the Committee that DEM/HS has added a national security site to join the Intrastate Mutual Aid Program, one that occupies a fairly significant portion of southern Nevada and has a federal entity that oversees a private contractor. Chief Fogerson explained that they do have mutual aid direct agreements with those counties that they border and provide

emergency medical services to Highway 95, and DEM/HS is working to expand that further to include Fire Emergency Medical Service Technical Rescue.

5. GRANT STATUS REPORT FOR FISCAL YEARS (FFY) 2017-2022

Suz Coyote, DEM/HS, indicated that the grant status report is attached to the meeting materials, and noted that all grants program with open sub-awards are listed in that report and include: the sub of each agency, project, original award amount, re-obligated funds received, amount spent as of the last report, the funding stream or grant, any de-obligated amount, and the percentage of the award spent as of the last report received. Ms. Coyote reported that the FFY22 Homeland Security Grant Program grants were issued October 29; the FFY21 EPWG grants were issued October 21; the FFY22 NSGP grants were issued October 25; the FFY22 EMPG grants were issued October 25; and DEM/HS submitted the application for the state and local Cybersecurity Grant Program, which was due on November 15. Ms. Coyote concluded her presentation by informing the Committee that the FFY22 EPWG grant application will be released shortly.

Bill Welch asked if there is risk of losing any of the monies unspent for fiscal years 2017 and 2018.

Suz Coyote indicated that the re-obligation and de-obligation process discussed is DEM/HS's attempt to prevent the de-obligation of funds, which is handled through the Homeland Security Working Group.

Bill Welch asked about the possibility of sweeping funds of projects that are completed or nearly completed and have funding left and reallocate those funds to other programs that might be in need of additional funding.

Suz Coyote explained that the funding streams are established at application and that there are different funding streams, including UASI, state, and Homeland Security Program funds. As such, these funds cannot be moved around from one grant to another. Ms. Coyote further explained that DEM/HS does its best to re-aggregate funds before the end of the period and pointed Mr. Welch to the June 30 (end of the fiscal year) report but noted that because another round of reports happens before the closeouts of grants on September 30, the included report will be updated again.

David Fogerson added that Billy Samuels, the Urban Area Administrator, Chief Fogerson, and the state administrative agent are constantly looking at the numbers and working with grant staff to ensure that no money is left on the table that will then be sent back. Chief Fogerson explained that any de-obligations under \$100,000 is by the permission of the state administrative agent, and anything over \$100,000 comes back to the Commission for approval. Chief Fogerson further explained that the grants generally have a three-year performance period, followed by a year to close out the state, which provides time to reissue funds should the opportunity arises. Chief Fogerson noted that due to COVID, that time period was extended over 17 grants, which explains the longer time period noted on some of the grants right now.

6. DEM/HS FEMA AUDIT RESULTS FOR THE FEDERAL FISCAL YEAR (FFY) 2022

Jared Franco, DEM/HS, reminded the Committee that he discussed four different audits at the previous meeting. Mr. Franco indicated that the most recent audit of DEM/HS was the federal audit of the Homeland Security Grant Program of fiscal years 2017 to 2020, the results of which were just received with no findings. Mr. Franco further indicated that DEM/HS received praise from federal partners regarding their management of federal grant funds. Mr. Franco indicated that the federal partner shared in the results letter that the federal partners had not administered enough education and training as they had done pre-COVID and were happy to see the dedication put forth by the DEM/HS grants team to ensure that everyone understands the tool and to submit the report timely with beneficial information. Mr. Franco discussed the Bi-annual Strategy Implementation Report (BSIR), a report submitted to Congress by Homeland Security on behalf of DEM/HS, which entitles members in DC to see where money goes in times of incidents and disasters. Mr. Franco reported that this is so the members can ensure that DEM/HS is preparing, mitigating, and recovering from said incident/disaster as well as to gauge whether or not the amount of money is sufficient. Mr. Franco next indicated that the warehouse has been transitioned over to Nevada's Purchasing Agency and that everything has been handed over to purchasing, including an in-progress audit that was paused during the move from the northern to southern warehouse. Mr. Franco explained that now the audit is ramping back up, and DEM/HS will be assisting purchasing with the audit in any way needed.

7. UPDATE ON THE STATUS OF THE CYBER SECURITY TASK FORCE (CSTF)

Tim Robb, Chair of the CSTF, informed the Committee that as of last week, two task force meetings have been held. Mr. Robb reminded the Committee that the task force was established to ensure eligibility for federal funding opportunities, both current and future. Mr. Robb further explained that this body's job is to ensure that the statewide funding priorities are established by a holistic approach that includes as many engaged groups as possible, both public and private, local and state government, in a nutshell, all of the parties possible at the table for a good understanding of the cyber security needs of the state. Mr. Robb indicated that DEM/HS will serve as the state administrative agent. Mr. Robb informed the Committee that as of last week, the strategic plan, a requirement of the current grant, was approved and will now be moving forward to the Department of Homeland Security for final approval. Mr. Robb indicated that following final approval, the notice of funding, to which the entities can apply, will go out.

8. NEVADA DIVISION OF EMERGENCY MANAGEMENT/HOMELAND SECURITY NEW YEAR'S EVE MISSION

David Fogerson, Chief of DEM/HS, discussed the steps DEM/HS is taking for New Year's Eve, noting that the Interim Finance Committee approved the use of contingency funds to support state and local partner's during New Year's Eve. As such, Chief Fogerson explained that DEM/HS has deployed the Guard as Force Multipliers as both law enforcement and the

healthcare system. Chief Fogerson indicated that the Emergency Management staff will be located within the Clark County Multi-coordination Center and within Metro Area commands so as to provide feedback should the state need additional assistance. Chief Fogerson further indicated that DEM/HS staff, in its emergency support function such as NDOT, DPS, NDEA, and all the various state agencies that serve that role for the state, will be available virtually that night. Chief Fogerson noted that the Guard has additional staff on notice should assistance need to be provided in either northern or eastern Nevada in order to ensure protection of the entire state.

Richard Perkins asked if there was any data, information, or intelligence that has arisen relative to the mission that could be shared with the Commission for the purposes of the Commission providing additional input into potential necessary resources.

David Fogerson noted that he would check with legal counsel, with the Southern Nevada Counter-Terrorism Center, and with the Nevada Threat Analysis Center regarding Mr. Perkins' request. Chief Fogerson did indicate that there is not currently any actual intelligence pertaining to New Year's Eve but conceded that there is insufficient personnel in southern Nevada, thus the need for the Guard to serve as Force Multipliers rather than moving law enforcement personnel from north to south.

9. ELECTION INTEGRITY IN THE STATE OF NEVADA

Jon Bakkedahl, DEM/HS, provided a brief overview of DEM/HS's support of the Secretary of State's Office, noting that more than a year ago, DEM/HS leadership engaged with the Secretary of State's Office in high-level discussions, after which, the Secretary of State's Office briefed DEM/HS on the current status of election integrity and security. Mr. Bakkedahl reported that following this briefing, DEM/HS personnel with the proper clearances attended the US Department of Homeland Security Secret Briefings, then conducted several small drills in the operations center in preparation for any type of event for which the Secretary of State's Office might need support. Mr. Bakkedahl discussed three small tabletop exercises held inside of the National Guard's Joint Operations Center: an active assailant in rural Nevada; a bomb threat in urban Nevada; a loss of power anywhere regionally that could potentially affect election processes. Mr. Bakkedahl reported that a follow-up discussion took place after the tabletop exercises, and DEM/HS is currently in the process of drafting an after-action report in order to use this information and build off the processes moving forward.

Mark Wlaschin, Deputy Secretary for Elections, discussed some common themes, beginning with the ensuring that, going forward, at the county and state level, both passive and active measures are addressed in terms of security practices in order to ensure a holistic approach. Mr. Wlaschin further indicated the importance of partnerships, noting that the Secretary of State's Office has some strong relationships with state and federal partners and intends to reinforce those relationships moving forward. Mr. Wlaschin discussed the need to address the significant personnel changes at the state and county level, noting that come February, only seven of the 17 county election officials will have been on staff as far back as the 2020 election cycle. Mr. Wlaschin indicated that there are three focus areas under consideration, including: physical security, which will be addressed by leveraging the partnership with CISA

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to conduct the holistic review of the state and county level to reinforce good physical security as well as to identify areas needing improvement; cyber security, for which Mr. Wlaschin reinforced the idea that cyber terrorism involving voting machines will be a non-issue as none of the machines are connected to the internet but did discuss other potential issues such as interrupting transmission results or possible modifications to voter rules, results pages, and/or websites that could alter public perception of the integrity of the election; and effective training and education of new staff, including new clerks and registrars as well as new staff at the Secretary of State's Office.

10. PUBLIC COMMENT

Governor Steve Sisolak opened the second period of public comment for discussion.

There was no public comment.

11. ADJOURNMENT

Governor Steve Sisolak adjourned the meeting.