



Meeting Minutes

Nevada Commission on Homeland Security

Attendance	DATE		Thursday, April 27, 2023		
	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 Joe Lombardo - Chair	X	Todd Fasulo	ABS	Chief John Steinbeck	X
Sheriff Kevin McMahon	X	Mitchell Fox	X	Rosemary Vassiliadis	ABS
Sheriff Darin Balaam	X	Chief Fernando Gray	X	Patricia Wade	X
Richard Perkins	X	Dr. Ikram Khan	X	Bill Welch	X
Harriett Parker	X	Chief Charles Moore	ABS		
Spencer Evans	X	Richard Perkins	X		
Appointed Non-Voting Member Attendance					
Karen Burke	X	Christopher Ipsen	X	Philip "P.K." O'Neill	ABS
Gonzalo Cordova	X	David Fogerson	X	Aakin Patel	X
Legal and Support Staff Attendance					
Nathan Hastings	X	Sherrean Whipple	X		

1. CALL TO ORDER AND ROLL CALL

Chair Governor Joe Lombardo 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 Joe Lombardo opened the first period of public comment for discussion.

David Fogerson, State Administrative Agency (SAA), indicated that grant applicants Cary Underwood, Southern Nevada Counter Terrorism Center, and Rachel Skidmore, Las Vegas Metropolitan Police Department, were excused from today's meeting as they are recipients of the Fusion Center of the Year Award. Mr. Fogerson noted that he and Deputy Fire Chief Billy Samuels were available at today's meeting in their stead to answer any questions regarding their grants.

There was no additional public comment.

3. APPROVAL OF MINUTES

Chair Governor Joe Lombardo called for a motion to amend or amend and approve the draft minutes from the December 5, 2022, Nevada Commission on Homeland Security meeting. Dr. Ikram Kahn, President, Quality Care Consultants, motioned to approve the minutes with the correction. Patricia Wade, Wade Development, seconded the motion.

No discussion was presented. All were in favor with no opposition, and the motion passed with the correction, unanimously.

4. ANNOUNCEMENT OF VICE CHAIR BY GOVERNOR LOMBARDO

Chair Governor Joe Lombardo announced Sheriff Kevin McMahon, Las Vegas Metropolitan Police Department, as Vice-Chair of the Commission.

5. DISCUSSION ON CYBER SECURITY EFFORTS WITHIN NEVADA – (Discussion Only) – Commission members will learn about cyber security efforts under way in Nevada.

- a. Cyber Security Task Force** – Tim Robb. Mr. Robb discussed the Cyber Security Task Force role, responsibilities, and vision. Mr. Robb indicated that the urgency for the task force came from some federal grant opportunities and was a condition of the grant. Mr. Robb explained that the final plan is in the review process. Mr. Robb next indicated that the task force is intended to serve as a convening group that can have conversations, share some learning, as well as share concerns and potentially be helpful for local jurisdictions. Mr. Robb described the diversity in the jurisdictions, and noted the importance of ensuring that everybody has a voice at the table as well as the ability to connect the needed resources so as to prepare for cybersecurity response and recovery. Mr. Robb informed the Committee that the responsibilities of the task force include administration of the grant process, working with DEM/HS to ensure the grant process is executed effectively, and to ensure that the proper pieces to cybersecurity preparedness are happening across the state as well as the collaboration among the different jurisdictions.
- b. Cyber Security Landscape** – Dave Fogerson. Mr. Fogerson will discuss the cyber security landscape within Nevada and will identify agency responsibilities. Mr. Fogerson explained that the cyber security landscape is an enterprise in which everyone works together collaboratively and cooperatively, which is how the process is maintained. Mr. Fogerson indicated that this is shared workspace among many different players, which began with the Cyber Security Task Force, which DEM/HS is now leveraging to better coordinate among all players involved. Mr. Fogerson further indicated that a national group from the Governor's Association is currently working on a policy paper showing exactly what DEM/HS is doing in Nevada, connecting all the pieces together and using emergency management as that coordination piece.

Mr. Fogerson discussed tabletop exercises and discussions regarding how to manage cybersecurity, noting that it is not always possible to discern where and how potential attacks may occur, but it is important to determine how all parties will work together to address these attacks. Mr. Fogerson discussed the importance of these exercises being addressed for failure so as to provide a roadmap for the future. Mr. Fogerson indicated that an after-action report will be provided once it is received from FEMA.

- c. **Office of Cyber Defense and Coordination (OCDC)** – Aakin Patel. Mr. Patel will discuss the roles, responsibilities, and vision for OCDC. Mr. Patel indicated that the vision of OCDC is to serve as a combination cybersecurity think tank and R&D group, as well as an organization that works with all partner entities across the state in a coherent and collaborative fashion. Mr. Patel indicated that the regulatory obligations include forming an incident response team that is available to support all partner entities, including state, local, tribal territory, and private entities in the case of a cyber event, as well as to work with the higher education group to develop a cybersecurity workforce for the state and create better training programs and pathways for professionals to grow into cybersecurity careers. Mr. Patel discussed the programs being created to support these objectives, including an intelligence sharing program with a biweekly newsletter, and a cybersecurity tool development program to create an easily deployable set of tools for all entities. Mr. Patel further discussed the importance of building up the instant response staff and noted that OCDC has reached out to various higher education groups across the state to start developing internship and other programs to work with developing a cybersecurity workforce.

John Steinbeck, Fire Chief for Clark County, asked about the process for activation of the emergency response team.

David Fogerson indicated that this would occur through the DEM/HS, who would manage it just like in any other type of major incident. Mr. Fogerson explained that on a smaller event, Mr. Patel would reach out to his cohorts throughout the local government for help.

Fire Chief John Steinbeck asked about a cost or reimbursement back to the locals.

David Fogerson explained that this is still in discussions at the national level as to how this will work.

Fire Chief John Steinbeck questioned if activation and assistance would take place onsite or remotely.

Aakin Patel explained that this would depend on the type of assistance needed and would be addressed on a case-by-case basis.

Chair Governor Joe Lombardo asked Tim Robb if the Cyber Security Task Force would be able to provide an organizational chart, areas of responsibility and protocols, and contact information.

Tim Robb informed the Commission that the task force would work with DEM/HS to compile all of that information in an easily shareable format.

Chair Governor Joe Lombardo asked Spencer Evans where the FBI falls into this response or profile.

Spencer Evans, Special Agent in Charge, explained that the FBI would be on more of the investigative side whereas CISA and DHS would be working with organizations on the prevention and monitoring as well as with getting back up and running. Mr. Evans confirmed that the FBI would be activated in conjunction with all the different groups.

- d. **Nevada Enterprise Information Technology (EITS): Chief Information Security Officer (CISO)** – Bob Dehnhardt. Mr. Dehnhardt will discuss the roles, responsibilities, and vision of EITS and CISO. Mr. Dehnhardt explained that the Office of Information Security provides tools, support, and guidance for operational security to the executive branch agencies, which includes: continuous monitoring of the enterprise; vulnerability scanning; penetration testing; incident response coordination; threat intelligence analysis; user security awareness training; physical management using the Nevada Card Access System (NCAS); and an integrated risk management platform. Mr. Dehnhardt informed the Commission that the State Information Security Committee is made up of information security officers from the executive branch agencies along with support personnel and guests from outside the executive branch. Mr. Dehnhardt indicated that current guest member representatives are from the legislative and judicial branches, NSHE, and the National Guard. Mr. Dehnhardt concluded by indicating that the function is to create and update security policy and standards for the executive branch, and to encourage information sharing, cooperation, and coordination between the agencies and security managers.
- e. **Office of the Military, Nevada National Guard Joint Cyber Security Task Force** – Colonel Daniel Waters. Colonel Waters will discuss the Guard's Joint Cyber Security Task Force role, responsibilities, and vision. Colonel Waters explained that the intent of the Joint Cyber Security Task Force is to leverage federal assets for the benefit of the state. Colonel Waters indicated that the assets are funded by the federal government and specifically housed within the Nevada National Guard but can be utilized from a state aspect and on state time and includes the funding of 32 state personnel positions to provide a backbone of expertise. Colonel Waters explained that a five-year plan is being developed right now, as well as a six-year and ten-year plan, depending on the state's financial needs. Colonel Waters next indicated that the responsibilities of the team include partnering with the Cyber Security Task Force, DEM/HS, DPS, and CISA to ensure response preparedness so as to be not only reactive but also proactive. Colonel Waters concluded his presentation by informing the Commission of the vision of full spectrum cybersecurity capabilities across the entire defense and response possibilities by October of 2028.

Chair Governor Joe Lombardo questioned why October of 2028 and not sooner.

Colonel Daniel Waters indicated that it could be done faster but would be more acceptable to run across three legislative sessions rather than just two given the plan for the hiring schedule. Colonel Waters added that the team is designed to be modular, so if needed to push out over a longer span, capabilities can be brought in based on a smaller team concept. Colonel Waters cautioned, however, that when bringing on the smaller teams, the full spectrum of capabilities is not available.

Chair Governor Joe Lombardo questioned the length of the grant associated with the Cyber Security Task Force.

David Fogerson confirmed that this is currently a three-year grant, and the assumption is that the process will be continued as has been the case with other Homeland Security funds. Mr. Fogerson indicated that this grant does not fund the hiring of personnel.

Chair Governor Joe Lombardo asked if the responsibility for the task force to which the colonel is alluding would be able to be absorbed.

David Fogerson clarified that the Joint Task Force will consist of Army and Air Force personnel who are federally trained and will be leveraged on state active duty.

- f. **Cybersecurity and Infrastructure Security Administration (CISA)** – Dr. Richard Hays. Dr. Hays will present a discussion on the roles, responsibilities, and vision for CISA within Nevada. Dr. Hays discussed the fact that his purpose is to partner with the state for the government and executive branch for critical infrastructure cybersecurity, a role which includes informing the state and helping to assess. Dr. Hays next indicated four priority areas from CISA: election security; K through 12 education; healthcare; and water and wastewater, in addition to any other priorities at the state or government executive level. Dr. Hays explained that part of the vision for CISA and the CSE program within the state for 2023 is to assist in the development of cyber security programs and Dr. Hays indicated that CISA is already working in conjunction with the Joint Task Force defensive cyber operations element. Dr. Hays informed the Commission that he intends to continue that focus with the executive branch for any other critical infrastructure assessments, incident response plan development for any agencies that need assistance, and helping agencies to adhere with any of the Nevada Revised Statutes that call out for security measures.
- g. **Division of Emergency Management and Homeland Security** – Jon Bakkedahl. Mr. Bakkedahl will discuss the consequence management or reactive posture role, responsibility, and vision using the Policy Group and Nevada Operations Center. Mr. Bakkedahl explained that DEM/HS has created a five-page white paper that defines the roles and responsibilities of emergency management and separates it clearly from crisis management or the operational people that will be dealing with the cyber event itself; rather, Mr. Bakkedahl indicated, DEM/HS will be focusing on the consequence management of the event. Mr. Bakkedahl explained that the consequence management is DEM/HS's vision and explained DEM/HS's role in ensuring that people are prepared via training and exercises as well as activating the Emergency Operations Center to deal with additional events that may arise from a cyber event.

Mr. Bakkedahl indicated that DEM/HS's primary efforts so far have included creating a draft document that outlines efforts in consequence management, as well as assisting in the coordination of the memorandum of understanding with the Nevada National Guard.

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

David Fogerson, SAA, noted that it is a legal requirement that statewide adoption of the NIMS program be discussed. Mr. Fogerson discussed that DEM/HS is continuing with ICS training as well as position-specific training. Mr. Fogerson further noted that the DEM/HS has been tasked with being able to field two different incident management teams. As such, Mr. Fogerson noted that DEM/HS is meeting its legal obligations but continues to work on areas of improvement.

Fire Chief John Steinbeck questioned if with the efforts put into NIMS over the last three to five years, is there now more bench depth in the positions for the IMT and the EOCs.

David Fogerson indicated that things are definitely better than in the past, but that the focus continues to be on improving.

7. REVIEW OF THE 2022 ANNUAL REPORTS

David Fogerson, SAA, provided the Commission with the two reports DEM/HS is required to complete on an annual basis, and opened the floor to the Commissioners for any questions regarding the reports. There were none.

8. REVIEW OF THE FEDERAL FISCAL YEAR (FFY) 2023 STATE HOMELAND SECURITY PROGRAM (SHSP) AND THE URBAN AREAS SECURITY INITIATIVE (UASI) PROGRAM RECOMMENDATIONS

David Fogerson, SAA, and Deputy Chief Billy Samuels, Urban Area Administrator (UAA). Mr. Fogerson opened by reminding the Committee that the process begins with notice of federal funding opportunities from the federal government, followed by the state hosting multiple meetings to help people through the grant process. Mr. Fogerson indicated that the grants are then submitted, reviewed by staff, and separated out to their respective programs, whether UASI to the Urban Area Working Group (UAWG) or SHSP to the Nevada Resilient Advisory Committee (NRAC). Mr. Fogerson explained that the two bodies then rank the projects, determine the recommendations, and then advance those recommendations to the Nevada Commission on Homeland Security's Committee on Finance. Mr. Fogerson noted that this meeting was held the previous day, and the final recommendations for the projects to move forward have now come to today's meeting for approval.

Deputy Chief Billy Samuels indicated that the UAWG meeting took place on April 18 and that 28 of the 29 projects did pass for UASI funding. Deputy Chief Samuels explained that the

only project that did not pass was the tethered drones for the city of Henderson, that this was due to lack of funding, and that the project for the equipment requested for the mobile command post for Clark County was partially funded. Deputy Chief Samuels discussed the requirements, noting that all were met: enhancing the protection of soft targets and crowds; enhancing information sharing and intelligence sharing; combating domestic violent extremism; enhancing community preparedness and resilience; and enhancing election security. Deputy Chief Samuels explained that for the UASI, \$157,500 was required for each of those projects, and that amount was met.

David Fogerson indicated that for the State Homeland Security Projects, 26 were submitted and 20 will be funded. Mr. Fogerson indicated that the following projects were not funded: Moapa Valley Fire Protection's request for Stop the Bleed Kids; White Pine County's request for an ambulance; White Pine County's request for plate carriers; White Pine County's request for firefighter SCBAs; White Pine County's request for two pickup trucks; and EITS' request for tower climbing training and equipment. Mr. Fogerson indicated that DEM/HS is working with each of these projects that did not receive SHSP on other potential funding sources for their projects.

Chair Governor Joe Lombardo asked Dr. Kahn to make a motion to approve Agenda Item Number 8. Dr. Ikram Kahn, President, Quality Care Consultants, motioned to approve Agenda Item Number 8. Governor Joe Lombardo seconded the motion.

No discussion was presented. All were in favor with no opposition, and the motion passed with the correction, unanimously.

9. PROJECT CHANGE REQUEST (PCR) ABOVE THE \$100,000 THRESHOLD

David Fogerson, SAA, explained that this item involves a retroactive approval of the process as it was approved by the Committee on Finance at the first quarter meeting, a meeting that ended up being canceled due to a memorial service for the Care Flight crew. Mr. Fogerson explained that although this item has been approved administratively, it needs to come before the Commission for true approval.

Jared Franco, DEM/HS, explained that the request comes to the Commission as a PCR of over \$100,000, the request being to move funds from savings that were incurred from the purchase of tactical gear and move that money into purchasing comms headsets to finish and build out the Metro command vehicles. Mr. Franco explained the total amount is a little over \$200,000, an amount that requires the approval of three committees: NCHS, NRAC, and Homeland Security's Committee on Finance. Mr. Franco indicated that both NRAC and the Committee on Finance has already approved the amount.

Fire Chief John Steinbeck asked by when the funds need to be spent.

Jared Franco indicated the funds must be spent by August of 2023.

Sheriff Kevin McMahon commended David Fogerson for ensuring that this money did not get lost and for taking care of this administratively.

Chair Governor Joe Lombardo asked John Steinbeck, Fire Chief, Clark County Fire Department, to make a motion to approve Agenda Item Number 9. Fire Chief John Steinbeck, motioned to approve Agenda Item Number 9. Mitchell Fox, President and Chief Executive Officer, Nevada Broadcasters Association, seconded the motion.

No discussion was presented. All were in favor with no opposition, and the motion passed with the correction, unanimously.

10. FEDERAL GRANT REOBLIGATION GUIDELINES

David Fogerson, SAA, discussed the re-obligation guidelines, which were written in 2011, noting that the Committee on Finance recently reviewed them and approved making a recommendation to approve them as well. Mr. Fogerson explained that his position as State Administrative Agent allows him to make project change requests administratively for items under \$100,000, items that Mr. Fogerson promised to continue to daylight for the Commission, but also requires that any grant amount over \$100,000 be approved by the Committee on Finance, NRAC, and NCHS.

Fire Chief John Steinbeck asked for confirmation that Mr. Fogerson did not feel the need to raise the \$100,000 threshold due to inflation.

David Fogerson indicated that he is comfortable with the current over \$100,000 stipulation as it is written now.

Chair Governor Joe Lombardo called for a motion to approve Agenda Item Number 11. Dr. Ikram Khan, President, Quality Care Consultants, motioned to approve Agenda Item Number 11. Colonel Brett Compston, Nevada National Guard, seconded the motion.

No discussion was presented. All were in favor with no opposition, and the motion passed with the correction, unanimously.

11. GRANT STATUS REPORT FOR FISCAL YEARS (FFY) 2019, 2020, 2021, AND 2022

Suz Coyote, DEM/HS, indicated that the status of current grants is in the grant status report attached to the meeting materials. Ms. Coyote explained that all sub-awards for open grants and programs are listed, that the period of performance for each grant year is shown. Ms. Coyote discussed all of the data included in the report, noting that the late reporting for the quarter ending 12/30/2022 was also included. Ms. Coyote indicated that status of expected grants are all on track to be submitted by due date May 18 and that the cybersecurity program is still under review and that stakeholders will be notified when those grant applications can be released.

Bill Welch asked about the status of the 2019 grants at zero expenditure to date, noting his concern with the need to expend by the end of this year.

Suz Coyote, DEM/HS, indicated that she will review the report and get back to the Commission with an answer.

Jared Franco, DEM/HS, added that the grant does expire at the end of August and that DEM/HS is working with some of its partners to get the de-obligated money spent, most of which is coming from UASI.

David Fogerson indicated that the COVID pandemic caused issues with spending the grant money as well as with supply chain.

Dr. Ikram Khan asked for confirmation that the grants that are not yet utilized have parameters dictating the areas in which funds can be spent.

Jared Franco, DEM/HS, explained that as long as the minimum spend requirements are met and that FEMA's approval for moving of the higher dollar amounts is received, the money can be spent.

David Fogerson noted that there is now a late reporting list included in the report and discussed administrative steps of addressing this issue in the future.

Chair Governor Joe Lombardo asked about the 2019 City of Henderson multi UCOC Enterprise Surveillance which was approved 06/2021, and questioned if the approval changes the timeline of 2023 for need to spend.

Suz Coyote, DEM/HS, reiterated that the report goes through the final quarter of 2022 and does not yet include first quarter of 2023 data, noting that the project to which Governor Joe Lombardo is referring has completed the purchase process and will be reflected in the next meeting in the updated report that will include Q1 2023 data.

Chair Governor Joe Lombardo requested an updated report prior to the next meeting as it will occur too late in the fiscal year to make a decision.

Suz Coyote concurred with this request.

Sheriff Kevin McMahon added that an effort is being made to get an updated percentage on all of these projects and noted that a lot of progress has been made as noted on discussions in the finance committee.

Fire Chief John Steinbeck asked if there is opportunity for any extensions based on the pandemic.

David Fogerson indicated that two extensions were granted, one automatically, and a second one due to the supply-chain issues during COVID. Mr. Fogerson reiterated that because of the reporting period, people have a quarter to update so data will always be a bit stagnant as there is no feasible way to provide live-time data. Mr. Fogerson assured the Commission that both his and Deputy Chief Billy Samuels' goal is not to have sent any of the money back to the federal government.

Chair Governor Joe Lombardo expressed concern about the five stages of reach out and response, indicating his belief that it is too cumbersome and lengthy a process.

David Fogerson explained that DEM/HS provides a 10-day, 30-day, and 60-day notice between the processes, after which the administrative de-obligation process begins.

12. DEM/HS FEMA AUDIT RESULTS FOR THE FEDERAL FISCAL YEAR (FFY) 2022 AND 2023

Jared Franco, DEM/HS, discussed the three audits DEM/HS is currently undergoing: the audit by Eide Bailey taking place for the Coronavirus State and Local Fiscal Recovery Fund; the LCB audit for the support of federal grant testing; and the audit being conducted by Nevada's Executive Audit Branch. Mr. Franco reported that all requested documentation has been submitted, and DEM/HS is awaiting further requests or suggestions.

13. PUBLIC COMMENT

Chair Governor Joe Lombardo opened the second period of public comment for discussion.

There was no public comment.

14. ADJOURNMENT

Chair Governor Joe Lombardo called for a motion to adjourn the meeting.

Dr. Ikram Khan, President of Quality Care Consultants, motioned for adjournment.

Mitchell Fox, Nevada Broadcasters Association, seconded the motion.

All were in favor with no opposition. Motion passed unanimously.