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The Honorable Alejandro Mayorkas, Secretary
Secretary of Homeland Security
Washington, D.C. 20528

Dear Secretary Mayorkas:

The members of the National Emergency Management Association (NEMA) are expressing disappointment in pending changes to the Fiscal Year 2023 (FY23) grant guidance due to take effect without appropriate consultation with all stakeholders. When the Department of Homeland Security directs an increase in set-asides it has the potential to hamper the ability of states and communities to program over time to build capabilities that required sustained effort. This year, it appears that the Law Enforcement Terrorism Prevention Activity (LETPA) and other funding set-aside requirements do not recognize the use of non-law enforcement personnel, functions, and programs as contributing to prevention activities.

NEMA represents the state emergency management directors of all 50 states, U.S. Territories, and the District of Columbia. Of those members, 32 serve as directors of State Administering Agencies and 17 are dual-hatted as state Homeland Security Advisors. The suite of homeland security grants is unique by providing states the necessary flexibility to help address national preparedness gaps while also addressing broader state vulnerabilities. Achieving our shared mission success becomes more complex when changes to program set-aside percentages and requirements are changed year-after-year. For many of NEMA's member, the most successful prevention efforts do not materialize from a single law enforcement purchase. Allowing states, through their SAAs, Homeland Security Advisors, and Homeland Security Councils, to assess their individual needs while properly prioritizing local and national safety remains an important role for emergency management and homeland security professionals.

The FY23 increase in LETPA to 35 percent and reemergence of the election security minimum does not account for work already being accomplished by state and local homeland security officials. While some states currently exceed the 35 percent LETPA set-aside requirement, other states choose to leverage grants such as those from the Department of Justice to support law enforcement activities. As for election security, other streams of federal funding are available specifically for those purposes, most notably the election security fund managed by the U.S. Election Assistance Commission.

Emergency management and homeland security officials take pride in maintaining close working relationships with law enforcement partners, and proper preparedness efforts require

cooperation across all levels of government. This requires an “all-hazards” approach when tackling homeland security and emergency management issues. Some examples of this approach include:

- Providing and conducting multiagency, multidisciplinary training on incident command, incident management, and emergency response operations. These efforts bolster a community’s ability to manage complex events including acts of terrorism, civil unrest, active shooters, and other related events.
- Developing, providing training, and assisting localities and state agencies in planning for security related events, including school safety and emergency response plans for K-12 schools, institutions of higher learning, and large venues.
- Providing training to help identify those at risk for radicalization.
- Gathering intelligence and planning for operations involving Critical Infrastructure and Key Resources.

While NEMA supports priority-setting at the national level, we ask that future changes in priorities and set-asides include a robust consultation process with all interested stakeholders. This will allow for better alignment with state priorities and ensure continued vigilance toward assisting the federal government with national preparedness efforts.

Sincerely,



Patrick C. Sheehan, NEMA President
Director, Tennessee Emergency Management Agency

cc: The Honorable Deanne Criswell, Administrator
Federal Emergency Management Agency