



## **LEGISLATIVE UPDATE**

### **FY22 House Appropriations Mark-up**

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**TO:** NEMA State Directors  
**FROM:** NEMA Legislative Committee  
**DATE:** July 13, 2021  
**SUBJECT:** FY22 House Appropriations Mark-up

On Tuesday, the House Appropriations Committee completed their work on the bill to fund the Department of Homeland Security (DHS) through FY22. While Democrats are planning to bring a spending package to the floor by the end of the month, Homeland Security will not be included, making it unclear when or if the bill will receive any floor time. There is still little clarity on when the Senate may mark-up, though that could occur prior to the August Recess. This underscores the likelihood of a series of Continuing Resolutions being the most likely scenario through the end of the year.

#### **DHS-WIDE SUMMARY**

For FY21, the Homeland Security bill provides \$52.81 billion in discretionary funding, nearly \$1 billion more than FY20 enacted. Highlights include:

- At \$14.1 billion, Customs and Border Patrol take a sizeable reduction, \$927 million below FY21 enacted levels and \$456 million below the request;
- Immigration and Customs Enforcement stayed relatively level at \$8 billion, \$2 million below FY21 enacted levels and \$20 million below the request;
- The Transportation Security Administration and U.S. Coast Guard both received increases of about \$300 million;
- The Secret Service received \$2.6 billion, an increase of \$138 million over FY21 enacted levels and \$4 million above the request;
- The Cybersecurity and Infrastructure Security Agency received a generous increase of \$400 million above FY21 enacted levels and \$289 million above the request, totaling \$2.42 billion, and;
- Science & Technology also received additional funds totaling \$65 million above FY20 enacted levels and equal to the request.

## **Federal Emergency Management Agency (FEMA)**

The bill includes \$24.02 billion for FEMA, \$2.1 billion above the FY21 enacted level and \$246.6 million below the request. A breakdown of the major report language includes:

### ***Operations & Support***

- *Emergency Management Assistance Compact (EMAC)*. \$2 million is provided for EMAC as part of FEMA's base activity.
- *Urban Area Flooding*. In FY20 FEMA was provided funding for a pilot grant program to help local government grants enhance mapping of urban flooding. FEMA is directed to brief the Committee on the pilot and whether a permanent program should be established.
- *Chief Resilience Officers (CRO)*. In recognition of multiple states appointing CROs, the Committee expresses their expectation that FEMA continues to integrate these CRO's into current activities and planning assumptions. The integration is meant to avoid the creation of a separate, stove-piped initiative.

### ***Federal Assistance***

- *Preparedness Grants*. A chart outlining funding levels for all the grant programs is included with this summary. Of note is the \$10 million increase over FY21 enacted levels for EMPG.
- *Cost Share Adjustment*. (*Amendment adopted by voice vote*) Requires that the FEMA cost share adjustment to be not less than 90 percent for disasters or emergencies declared or that began in the calendar year 2020.
- *Migrant Shelter Grants*. The Committee provides \$100 million under a new account transferred to FEMA to award grants to support noncustodial migrant processing and enrollment into Alternatives to Detention (ATD) and case management services managed by jurisdiction and non-profit organizations.
- *Preparedness Grant Evaluations*. The bill ignores the new administrative provision in the Administration's request that would have authorized FEMA to transfer up to one percent of the State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) grant funding to O&S to conduct evaluations of grants through those programs and recommends a direct appropriation to O&S of \$7.5 million for these evaluations.
- *School Safety*. Recognizing the eligibility of funds in both SHSP and UASI for school safety initiatives, FEMA is directed to work with states and school districts to increase awareness of opportunities.
- *UASI Risk Assessment*. FEMA is directed to make UASI awards consistent with the prioritization instructions provided with its authorizing law and expects FEMA to seek stakeholder input before considering any changes to the distribution of funding.
- *Community Project Funding Grants*. Earmarks have returned under CPF. There is a chart in the report (page 82) that details projects funded.

- *Individual and Household Program.* DHS OIG is directed to review FEMA’s application process and procedures in the IHP program for levels of restrictiveness that box out deserving applicants.
- *Training & Education.* The bill training and education at requested levels. Funds total \$294 million and include funding for the Center of Homeland Defense and Security (\$18 million), Continuing Training Grants (\$12 million), and National Domestic Preparedness Consortium (\$101 million).
- *RiskMAP.* The bill funds RiskMap at \$276 million as requested.

### ***Disaster Relief Fund***

The Disaster Relief Fund (DRF) is funded at the full amount requested based on estimates of expenditures in the coming year (\$18.8 billion). This is \$1.7 billion over the FY21 enacted level.

Language specific to the DRF includes:

- Makes available an additional \$500 million in prior year funding for the Building Resilient Infrastructure and Communities program.
- Cancellation of repayments of remaining balances of Community Disaster Loans as of June 30, 2021;
- An emphasis on hiring bilingual and multi-lingual staff to meet the language needs of disaster survivors; and
- Direction to implement those section of the DRRRA that have not yet been implemented “as expeditiously as possible.” The report places an emphasis on those sections that were to have immediate effect or those with overdue statutory deadlines.

### **USEFUL LINKS:**

[Committee Summary](#)

[Bill Language](#)

[Report Language](#)

This summary is provided courtesy of the NEMA Legislative Committee. Should you have any questions, please contact:

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<b>FEDERAL EMERGENCY MANAGEMENT AGENCY</b>			
<i>(in millions)</i>	<b>FY21 Enacted</b>	<b>FY22 Request</b>	<b>FY22 House</b>
<b>Operations &amp; Support</b>	<b>1,129</b>	<b>1,232</b>	<b>1,263</b>
<b>Procurement, Construction, and Improvements</b>	<b>106</b>	<b>188</b>	<b>188</b>
<b>Federal Assistance</b>	<b>3,295</b>	<b>3,302</b>	<b>3,525</b>
State Homeland Security Grant Program	610	595	610
<i>Operation Stonegarden</i>	<i>(90)</i>	<i>(90)</i>	<i>(90)</i>
<i>Tribal Homeland Security Grants</i>	<i>(15)</i>	<i>(15)</i>	<i>(15)</i>
<i>Non-Profit Security Grant Program</i>	<i>(90)</i>	<i>(90)</i>	<i>(90)</i>
Urban Area Security Initiative	705	690	705
<i>Non-Profit Security Grant Program</i>	<i>(90)</i>	<i>(90)</i>	<i>(90)</i>
Public Transportation Security Assistance	100	100	110
Port Security	100	100	110
Assistance to Firefighters (SAFER/AFG)	715	740	740
Emergency Management Performance Grants (EMPG)	355	355	365
Community Project Funding	--	--	152
RiskMAP	263	276	276
Regional Catastrophic Preparedness Grants	12	12	12
High Hazard Potential Dams	12	12	12
Emergency Food & Shelter	130	130	140
Alternatives to Detention Case Management (by transfer)	--	5	15
Targeted Violence and Terrorism Prevention (by transfer)	--	20	20
Training & Exercises	268	294	294
<i>Center for Domestic Preparedness</i>	<i>(67)</i>	<i>(68)</i>	<i>(68)</i>
<i>Center for Homeland Defense and Security</i>	<i>(18)</i>	<i>(18)</i>	<i>(18)</i>
<i>Emergency Management Institute</i>	<i>(22)</i>	<i>(22)</i>	<i>(22)</i>
<i>U.S. Fire Academy</i>	<i>(49)</i>	<i>(53)</i>	<i>(53)</i>
<i>National Domestic Preparedness Consortium</i>	<i>(101)</i>	<i>(101)</i>	<i>(101)</i>
<i>Continuing Training</i>	<i>(12)</i>	<i>(12)</i>	<i>(12)</i>
<i>National Exercise Program</i>	<i>(19)</i>	<i>(20)</i>	<i>(20)</i>
<b>Disaster Relief Fund (DRF)</b>	<b>17,142</b>	<b>19,299</b>	<b>18,799</b>
Base Disaster Relief	0	0*	0
Disaster Cap Adjustment	17,142	18,799	18,799
Additional BRIC Set-Aside	--	500	500
<i>Rescission of Prior Year Funds</i>	<i>(0)</i>	<i>(0)</i>	<i>(0)</i>

\* Utilizes remaining balances from FY21