



LEGISLATIVE UPDATE

FY22 Senate Appropriations Bill & Report

TO: NEMA State Directors
FROM: NEMA Legislative Committee
DATE: October 20, 2021
SUBJECT: FY22 Senate Appropriations Bill and Report

On Tuesday, the Senate Appropriations Committee released their version of bill and report language funding the Department of Homeland Security (DHS) through FY22 which ends September 30, 2022. While not officially debated and passed by the Committee, this concept of “releasing” official language has become a new operational tactic for the committee in recent years. This language is what will be used to conference with the House and their passed legislation from over the summer. A summary of the Senate bill and report language is below.

DHS-WIDE SUMMARY

The Senate’s FY22 Homeland Security bill provides discretionary funding of \$71.7 billion, which is \$65 million less than the President’s budget request and \$136 million less than the fiscal year 2021 enacted level. Highlights include:

- Customs and Border Patrol (CBP) and Immigration and Customs Enforcement (ICE) are both recommended for slight decreases from the President’s budget request and FY21 enacted levels.
- The Committee recommends \$13.039 billion, \$168 million above the President’s budget request and \$194 million above FY21 enacted levels for the U.S. Coast Guard. This includes increases for recruiting and diversity; tuition assistance to reach Service parity; childcare; Great Lakes Icebreaking Program; environmental remediation; and fishing safety training and research.
- For the Cybersecurity and Infrastructure Security Agency (CISA), the Committee recommends \$2.638 billion, \$504 million above the President’s budget request and \$613 million above the FY21 enacted level.

Federal Emergency Management Agency (FEMA)

The Committee recommends \$24 billion for FEMA, which is \$133 million below the budget request amount and \$2.2 billion above FY21 enacted levels. A breakdown of the major report language includes:

Operations & Support

- *Emergency Management Assistance Compact (EMAC)*. The Committee recommends \$2 million for EMAC.
- *Defense Production Act (DPA) Activities*. The Committee recommends \$6 million above the request for disaster supply chain preparedness. FEMA is directed to leverage their DPA responsibilities, enhance the role of private sector liaisons in the regions, and incorporate DPA authorities into planning and exercise cycles.
- *Mitigation Grant Programs*. As in past years, the Committee recommends funding of the National Earthquake Hazard Reduction Program (\$8.5 million) and the National Dam Safety Program (\$9.7 million).
- *Coordination with the Department of Housing & Urban Development (HUD)*. The Committee directs FEMA and HUD to articulate how the two agencies are improving data sharing; how staff is coordinated; efforts to reduce burdensome and redundant data collection; known barriers to advancing data sharing; and safeguards to protect survivor privacy.
- *Rebuilding and Repair Standards*. The Committee suggests that for applicable rebuilding and repair projects for certain infrastructure, such as electric grids, pipeline, water and wastewater, and transportation systems, FEMA should ensure that all replacement and repair projects are resilient and cost-effective under applicable national and local consensus codes and standards.

Federal Assistance

- *Preparedness Grants*. A chart outlining funding levels for all the grant programs is included with this summary.
- *STORM Act Funding*. The Committee recommends \$100 million (not requested in the President's budget) for states to establish revolving loan funds for local mitigation projects as prescribed in the STORM Act passed late last year.
- *Grants Evaluations*. The Committee recommends \$14 million for FEMA to conduct independently verified and validated evaluations on the effectiveness of the Homeland Security and Urban Area Security Initiative Grants. Little detail is provided as to the purpose or intent of this evaluation.
- *Congressionally Directed Spending*. The Committee recommends \$64 million in Congressionally Directed Spending grants of which \$30 million is for Emergency Operations Center grants and \$32 million is for Pre-disaster Mitigation. The remaining \$2 million is for FEMA to administer this funding. A chart detailing all grant requests can be found [here](#).

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:

- Directs FEMA to consult with larger, more populous states to determine ways in which they may enhance eligibility for disaster declarations. Specific items of consultations should include local assessable tax base, the median income, poverty rate, and the affect of an incident on local economies.
- Requires FEMA to provide the Committee a briefing on increasing access to BRIC funds including an analysis of the ability of states to meet building code requirements, options for assisting communities outside the BRIC program, other state and local challenges.
- Directs the “Capacity Building” portion of BRIC be funded at not less than \$1.5 million per state in FY22.

USEFUL LINKS:

[Committee Summary](#)

[Bill Language](#)

[Report Language](#)

[Congressionally Directed Spending](#)

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

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FEDERAL EMERGENCY MANAGEMENT AGENCY

<i>(in millions)</i>	FY22 Request	FY22 House	FY22 Senate
Operations & Support	1,232	1,263	1,391
Procurement, Construction, and Improvements	188	188	191
Federal Assistance	3,302	3,525	3,517
State Homeland Security Grant Program	595	610	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	690	705	705
<i>Non-Profit Security Grant Program</i>	<i>(90)</i>	<i>(90)</i>	<i>(90)</i>
Public Transportation Security Assistance	100	110	100
Port Security	100	110	100
Assistance to Firefighters (SAFER/AFG)	740	740	740
Emergency Management Performance Grants (EMPG)	355	365	355
Community Project Funding/Congressionally Directed Spending	--	152	64
RiskMAP	276	276	276
Regional Catastrophic Preparedness Grants	12	12	12
High Hazard Potential Dams	12	12	12
Emergency Food & Shelter	130	140	130
STORM Act Funding	--	--	100
Alternatives to Detention Case Management (by transfer)	5	15	--
Targeted Violence and Terrorism Prevention (by transfer)	20	20	20
Training & Exercises	294	294	294
<i>Center for Domestic Preparedness</i>	<i>(68)</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>(53)</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>(20)</i>	<i>(20)</i>	<i>(20)</i>
Disaster Relief Fund (DRF)	19,299	18,799	18,799
Base Disaster Relief	0*	0*	0*
Disaster Cap Adjustment	18,799	18,799	18,799
Additional BRIC Set-Aside	<i>(500)</i>	<i>(500)</i>	<i>(1,000)</i>
<i>Rescission of Prior Year Funds</i>	<i>(0)</i>	<i>(0)</i>	<i>(0)</i>

* Utilizes remaining balances from FY21