



LEGISLATIVE UPDATE

FY21 DHS Appropriation – Conference Agreement and COVID Relief

TO: NEMA State Directors
FROM: NEMA Legislative Committee
DATE: December 21, 2020
SUBJECT: FY21 DHS Appropriation and COVID Relief Package

Earlier today, language was released for both the FY21 funding bills as well as a \$900 billion COVID supplemental package. At more than 5,000 pages, the two packages are astonishing in their scope and reach. This memo provides executive levels details as they pertain to emergency management as well as links to appropriate documents with additional detail.

COVID Relief Package

There are two primary aspects of the COVID relief package that affect emergency management including:

- The deadline for the Coronavirus Relief Fund (CRF) established in the CARES Act is extended to December 31, 2021, and;
- Provides up to \$2 billion in assistance through states for families with funeral expenses due to COVID through December 31, 2020. The 25 percent cost share is waived only for purposes of the funeral expenses.

Many of the other extensions for COVID-19 related programs including additional unemployment benefits expire in March 2021, setting the stage for further negotiation attempts next year. A full section-by-section summary for the FY21 funding bills which addresses all relevant departments and priorities can be viewed [here](#).

FY21 DHS Appropriation:

Department-Wide Summary

The \$51.88 billion bill represents a \$1.9 billion increase over FY20 enacted levels. When excluding those amounts which do not count toward the budget cap, the net discretionary appropriation in the Senate language is \$51.88 billion, which is \$1.8 billion above FY20 enacted levels. Highlights include:

- \$15.03 billion for Customs and Border Patrol, including \$1.375 billion for 56 miles of border wall system;
- \$8 billion for Immigration and Customs Enforcement, including \$4.1 billion for immigration enforcement activities, personnel, and detention beds;
- \$7.96 billion for the Transportation Security Administration, rejecting proposed aviation fee increases;
- \$12.8 billion of the U.S. Coast Guard including vessel and aircraft acquisitions;

- The proposal to remove the U.S. Secret Service from the Department was rejected and \$2.4 billion provided for traditional activities and investments in cyber-crimes capabilities, and;
- \$118 million for the U.S. Citizen and Immigration Service.

Departmental Management and Operations

Consistent with previous years, the Senate includes \$20 million to be transferred to FEMA for Targeted Violence and Terrorism Prevention (TVTP) Grants. This reflects a \$10 million increase over FY20 enacted levels. While FEMA manages the financial aspects of the grant, the Office of Strategy, Policy, and Plans provides programmatic oversight.

Cybersecurity and Infrastructure Security Agency (CISA)

The agreement includes a net increase of \$224 million above the budget request. This includes \$226 million above the request to maintain current services, and \$54 million in enhancements. Highlights include:

- Continued support for the Multi-State Information Sharing and Analysis Center (MS-ISAC);
- \$66 million for the Protective Security and Cybersecurity Advisors;
- An increase of \$4 million above the request for the SLTT Cyber Information Sharing Program to increase technical assistance and other support for SLTT partners;
- Direction to work with stakeholders on the development of cybersecurity plans that could be adopted or modified for adoption by SLTT governments, and to partner with FEMA to better leverage existing DHS grant assistance authorities to support cybersecurity investments.

Science & Technology (S&T)

The agreement provides \$765 million for Science & Technology, which is \$18 million above the request. Highlights include:

- \$104 million above the request for Research and Development and \$23 million for University Programs;
- Up to \$5,000,000 to enter into an Educational Partnership Agreement with the U.S. Army Corps of Engineers and educational institutions to develop capabilities for maintaining and improving the integrity of U.S. levee and dam systems, and;
- Directs S&T and CISA to brief the Committees on the feasibility of funding a Center of Excellence focused on election security.

Countering Weapons of Mass Destruction (CWMD) Office

The agreement provides \$402 million for Countering Weapons of Mass Destruction, which is \$7 million above the request. The amount includes \$25 million for the Securing the Cities Program.

Federal Emergency Management Agency (FEMA)

The agreement provides \$22 billion for FEMA, including \$17.1 billion to support the Disaster Relief Fund. The bill provides \$3.3 billion in grants, increasing support to state and local governments. A chart of funding levels for all grant programs is below, but notable directed funding includes:

- \$2 million for the Emergency Management Assistance Compact;
- \$355 million for EMPG;
- \$18 million for the Center for Homeland Defense and Security, and;

- Sustained funding for both the National Earthquake Hazards Reduction (\$8.9 million) and National Dam Safety (\$9.2 million) Programs.
- Reduces funding for individual financial preparedness by \$2.8 million.

Additional Proposals (FEMA)

- **Supply Chains.** Directs FEMA to brief the Committees on the use of existing systems and processes to conduct real time analysis of the supply chain and availability of critical-life-sustaining commodities such as food, fuel, bottled water, and electric power.
- **Personnel Wellness.** Directs FEMA to brief the Committees on the impacts of stress factors on emergency management professionals who are repeatedly exposed to highly stressful and traumatic events that impact their mental health and wellness.
- **Predisaster Mitigation.** Requires FEMA to develop a strategic plan and any necessary policy to accurately and transparently estimate the amount available to be set-aside from the DRF; describe the methodology and source data for developing the estimate; and work with a verified third party to validate the amount determined.
- **DRF.** No funds are provided for base DRF activities due to a significant carryover balance.
- **Community Disaster Loans.** The agreement permits FEMA to transfer up to \$250 million from the DRF to the Disaster Assistance Direct Loan Program (DADLP) for the costs of Community Disaster Loans.
- **PA Threshold Discussions.** FEMA is directed to consult with states on its policies for estimating disaster damage costs in relation to the population of a state when determining whether to recommend that the President issue a federal disaster declaration. The consultation should include considerations of local economic factors such as the local assessable tax base; the local sales tax; the median income and poverty rate of the local affected area as it compares to that of the state; and the economic health of the state, including factors such as the state unemployment rate compared to the national rate.

Useful Links

Statement of Managers [LINK](#)

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

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FEDERAL EMERGENCY MANAGEMENT AGENCY
Summary

<i>(in millions)</i>	FY20 Enacted	FY21 Request	FY21 Enacted
Operations & Support	1,102	1,134	1,129
Procurement, Construction, and Improvements	133	87	106
Federal Assistance	3,188	2,483	3,295
State Homeland Security Grant Program (SHSP)	560	332	610
<i>Operation Stonegarden</i>	<i>(90)</i>	<i>*</i>	<i>(90)</i>
<i>Tribal Homeland Security Grants</i>	<i>(15)</i>	<i>*</i>	<i>(15)</i>
<i>Non-Profit Security Grant Program</i>	<i>(40)</i>	<i>*</i>	<i>(90)</i>
Urban Area Security Initiative (UASI)	685	426	705
<i>Non-Profit Security Grant Program</i>	<i>(50)</i>	<i>*</i>	<i>(90)</i>
Public Transportation Security Assistance	100	36	100
Port Security	100	36	100
Assistance to Firefighters (SAFER/AFG)	710	689	715
Emergency Management Performance Grants (EMPG)	355	279	355
National Priorities Security Grant	0	407	0
RiskMAP	263	100	263
Regional Catastrophic Preparedness Grants	10	0	12
High Hazard Potential Dams	10	0	12
Emergency Food & Shelter	125	#	130
Training & Exercises	280	157	268
<i>Center for Domestic Preparedness</i>	<i>(67)</i>	<i>(67)</i>	<i>(67)</i>
<i>Center for Homeland Defense & Security</i>	<i>(18)</i>	<i>(0)</i>	<i>(18)</i>
<i>Emergency Management Institute</i>	<i>(21)</i>	<i>(20)</i>	<i>(22)</i>
<i>U.S. Fire Academy</i>	<i>(47)</i>	<i>(50)</i>	<i>(49)</i>
<i>National Domestic Preparedness Consortium</i>	<i>(101)</i>	<i>(0)</i>	<i>(101)</i>
<i>Continuing Training</i>	<i>(8)</i>	<i>(0)</i>	<i>(12)</i>
<i>National Exercise Program</i>	<i>(19)</i>	<i>(19)</i>	<i>(19)</i>
Disaster Relief Fund (DRF)	17,863	5,653	17,142
Base Disaster Relief	511	593	0
Disaster Cap Adjustment	17,352	5,060	17,142
<i>Rescission of Prior Year Funds</i>	<i>(300)</i>	<i>(0)</i>	<i>(0)</i>

* Provides discretion to the Secretary in lieu of specifying funding amounts

Requests program be shifted to other homelessness/housing programs at the Department of Housing & Urban Development