SUBCOMMITTEE ON HOMELAND SECURITY
Fiscal Year 2023 Member Request Guide
Member Request deadline is 6:00PM, April 28, 2022

There are three types of requests: Community Project Funding requests; program requests; and language requests. A description and example of each can be found below.

All **Community Project Funding (CPF) requests** must meet the eligibility requirements referenced in this guidance for one of the two accounts designated for CPFs in the Homeland Security funding bill:

1. Pre-Disaster Mitigation Grants
2. Emergency Operations Center Grants

GENERAL GUIDANCE

No requests will be considered unless they are **entered electronically into the House Appropriations Committee's** electronic database **and documented in a letter signed by the Member**. Please ensure that each request is submitted to the correct subcommittee and select the appropriate departmental office, directorate, or component and the correct account. In addition, because the Subcommittee will exclusively rely on information entered into the electronic database to evaluate Member requests, it is critical for all data fields for each request to be populated with complete and accurate information.

Entering Requests in the House Appropriations Committee Database

- All requests – **CPF, program, and language** – must be entered into the online database. Information entered into the database must match the signed Member letter.

- Insert the appropriate information in each text field in the online database. If the character limit of a text field prevents the user from entering in all of the proposed text, please insert a summary that describes the purpose and effect of the proposed language and upload a document containing the full text. Do not insert "refer to attachment" or anything similar without also inserting such a summary directly into the text field.

- Except as described above, text fields in the database may only contain the exact text (including punctuation, such as quote marks) proposed for inclusion in the bill or report. Any additional background, description, or context the user wishes to provide can be included in the letter signed by the Member and uploaded into the database.

- Each office is responsible only for their requests and one office **cannot** enter requests into the database for another office.

- For **CPF requests**:

  - May be for fiscal year 2023 funds only and cannot include multi-year funding.

  - Include accurate recipient information when filling out the online request. **The recipient name entered into the online database should be the legal name of the organization that will be receiving these funds.** Please do not include abbreviations, acronyms, or use a "The" before the recipient name.

  - Include a **project description** consisting of not more than 1,000 characters. <u>Please include the type of CPF project at the beginning of the description (Pre-Disaster Mitigation Grant or Emergency Operations Center Grant).</u>

  - Include a **budget** describing in detail how the requested federal funding will be used by the grantee.

  - Include an explanation of **why the project is a good use of taxpayer funds**—this information must also be included on the Member's official House website (explained below).

  - Indicate whether you are aware of another Member making a request for this same project (just Yes/No, not which Member(s)).

  - All project information submitted through the database must be consistent with the information included in the **signed disclosure of financial interest certification letter.**

  - Project funding for fiscal year 2022 ranged between $36,000 and $3,000,000 for Emergency Operations Center grants and between $150,000 and $9,950,000 for Pre-Disaster Mitigation grants. **We do not expect to fund projects for fiscal year 2023 that exceed the maximum amounts for fiscal year 2022**. In addition, while we will otherwise try to provide the full federal cost share for funded CPFs, overall demand may limit our ability to do so. Members are encouraged to make clear **the minimum amount of federal funding for a project required in order for it to move forward**.

Signed Letter

Each Member must provide a **single, signed letter** that lists all CPF, program, and language requests for the Homeland Security Appropriations bill. **This letter should be converted to a**

PDF and uploaded to the online database. Each member's letter should accurately reflect the requests submitted by the member through the request database.

- The letter must include a Homeland Security bill-wide priority ranking of all CPF, program, and language requests. The rankings must be consistent with what is included in the online submission.

- For each request, only include information in the letter that is necessary to identify the request. All other details should be included in the online submission.

- **Do not submit hard copies of the signed letter, individual project certification letters, or CPF request forms.**

- If a Member signs a multi-Member or delegation request letter, that request **must be entered into the online database and included in the Member's signed letter in order to be considered.** This requirement applies to CPF, program, and language requests.

- Electronic signatures using the Quill system are permitted.

Committee-wide Priorities

Each Member must provide a Committee-wide priority ranking of their **top 10 program and language requests** through the online database. The ranking for Community Project Funding requests across subcommittees remains separate from the top 10 for program and language requests.

Posting CPF requests to the Member's official House website

Each Member must post information on their official House website for **all CPF requests** they submit to the Appropriations Committee 15-20 days after the Subcommittee's deadline. Providing 15 days between the submission deadline and posting it on a Member's website will allow subcommittee staff to review requests and make sure they are properly categorized as a Community Project Funding Request. The Committee will only consider funding projects that have been posted to a Member's official House website. The posted information must include: the proposed recipient name and address; the amount of the request; and an explanation of the request, including the purpose and why it is a valuable use of taxpayer funds.

Financial Disclosure

Each CPF request requires a signed certification letter stating that neither the requesting Member nor any member of their immediate family has a financial interest in the entity

designated to receive funding. A certification letter template is posted on the Committee website; the database includes instructions on how to complete it. If a project is funded in the bill, the associated certification will be printed and made available for public review by the Appropriations Committee once the Homeland Security bill is filed, prior to House floor consideration.

- **Clause 9 of House Rule XXI defines an earmark that requires this certification as "***a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.***"*

Lobbyists, Donors, and other Affiliated Parties

While Members are required to certify to the Committee that neither they nor members of their immediate family have a financial interest in a proposed project, Members should also be fully aware of any other financial aspects or relationships associated with the proposed project that might raise ethical concerns. These include but are not limited to lobbyists, donors, or other affiliated parties that have an interest in the project.

Please contact the Subcommittee staff with any questions about submitting member requests. For technical questions related to the request database, contact the Committee IT shop.

Distinguishing between CPF, program, and language requests—

- **Community Project Funding Request**: a funding request for a specific non-governmental entity to carry out a specific project. Example: *Provide $1,000,000 for an Emergency Operations Center grant for a local government in City, State.*

- **Program Request**: a request to fund a specific program or activity in the bill at a specified level—Example: *Provide $5,000,000,000 in the Transportation Security Administration's Procurement, Construction, and Improvements account for credential authentication technology.*

- **Language Request**: a request to include specific bill or report language that does not direct funding to a particular entity but encourages, urges, or directs some type of action by a DHS component, office, or directorate. Example: *The Committee*

direct/urges/encourages the Department to fully account for Blue Campaign funding in future budget submissions and is urged to continue transitioning the program to direct appropriations.

- If the programmatic or report language request is intended to be for a specific non-governmental entity and not competitively awarded, or narrowly defines a competitive grant to the extent that only one entity or geographic area can apply**, this is a CPF request and must be submitted as such.**

- If your office continues to have any doubt about whether or not a programmatic or report language request will be considered a CPF request, please contact the Subcommittee.

Subcommittee staff is available for consultation if you have questions regarding whether a proposed project would be eligible for Community Project Funding.

Pre-Disaster Mitigation Projects

Only projects that meet the requirements detailed in the most recent Notice of Funding Opportunity for the Building Resilient Infrastructure and Communities (BRIC) grant program will be considered for funding, including the cost-share requirement and environmental and historic preservation requirements, as applicable. For any projects designated for funding in the final fiscal year 2023 Homeland Security Appropriations Act, the state agency responsible for administering mitigation grants in the requestor's state must submit an application to the Federal Emergency Management Agency, and that entity will serve as the administrative agent for the grant. Therefore, all project proposals must be accompanied by a letter of support from the appropriate state agency affirming that it believes the project is eligible.

Please pay careful attention to FEMA's eligibility requirements when answering the following questions:

1. Is the requesting jurisdiction a state, Indian tribal government, local government, or territory as defined by section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)?
2. Is the proposed project eligible under the most recent Notice of Funding Opportunity for the Building Resilient Infrastructure and Communities grant program?
3. Can the requesting jurisdiction provide the required non-federal cost share, as detailed in the NOFO?
4. If less than the requested amount were provided as the federal share, would additional state local, or other eligible funding sources be available to support the project?

5. Can the requesting jurisdiction provide a Cost-Benefit Analysis or other documentation that validates cost-effectiveness, which is defined by FEMA as having a Benefit-Cost Ratio (BCA) of 1.0 or greater? A non-FEMA BCA methodology may only be used if pre-approved by FEMA in writing.
6. Is the entity that will benefit from the proposed activity covered by the current FEMA-approved multi-hazard mitigation plan in compliance with 44 CFR Part 201? If so, what is the Final FEMA Approval date.
7. How will the project provide long-term permanent risk-reduction, as opposed to simply supporting emergency protective measures?
8. Can the recipient describe how the project supports the needs of vulnerable populations?
9. Does the recipient specifically encourage the adoption and enforcement of the latest disaster resistant building codes?
10. Provide a clear and detailed description of the proposed mitigation activity.
11. How will the mitigation activity be implemented?
12. Who will manage and complete the mitigation activity?
13. What risks will remain from all hazards after project implementation (i.e., residual risk)?
14. How does the project take into account future conditions?
15. Has the project has been submitted to current or previous competitive BRIC funding cycles?
16. If the answer to the previous question is yes, what is the subgrant ID?
17. Community engagement and support is crucial in determining which projects are worthy of federal funding. Please describe or include evidence of community support that were compelling factors in the Member's decision to submit this project request, including letters of support and any relevant links to information posted on the Member's website or other online sources.
18. Has your office or the community consulted with state/county/local emergency management officials or with FEMA about the proposed project?
19. If the answer to the previous question is yes, please provide name agency and contact information.
20. Is there or will there be a letter from the appropriate state officials confirming that should the project be approved the appropriate state agency is willing and able to serve as the recipient for the grant?

Emergency Operations Center Grant Program

Only projects that meet the requirements detailed in the most Notice of Funding Opportunity for the Emergency Operations Center Grant Program, including the cost-share requirement and environmental and historic preservation requirements, as applicable, will be considered for funding. For any projects designated for funding in the final fiscal year 2023 Homeland Security Appropriations Act, the respective state administrative agency (SAA) must

submit an application to the Federal Emergency Management Agency, and that agency will serve as the administrative agent for the grant. Therefore, <u>all project proposals must be accompanied by a letter of support from the appropriate SSA</u> affirming that it believes the project is eligible.

Please pay careful attention to FEMA's eligibility requirements when answering the following questions:

1. Is the requesting jurisdiction a state, Indian tribal government, or local government as defined by section 102 or 602 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5122, 5195a?
2. Is the proposed project eligible under the most recent [Notice of Funding Opportunity](#) for the Emergency Operations Center Grant Program? (For EOCs, the fiscal year 2011 NOFO is the most recent.)
3. Can the requesting jurisdiction provide the required 25 percent non-federal cost share?
4. If less than the requested amount were provided as the federal share, would additional state local, or other eligible funding sources be available to support the project?
5. Is the requestor in a position to enhance their emergency management capabilities and address their Emergency Operations Center needs?
6. Is the proposed project related to a structure or facility that meets the [definition of an EOC](#), to include supporting incident management (on-scene) operations across multiple functional disciplines and/or jurisdictions?
7. Is the facility (or will the facility) be the primary Emergency Operations Center for the jurisdiction?
8. Community engagement and support is crucial in determining which projects are worthy of federal funding. Please describe or include evidence of community support that were compelling factors in the Member's decision to submit this project request, including letters of support and any relevant links to information posted on the Member's website or other online sources.
9. Has your office or the community consulted with state/county/local emergency management officials or with FEMA about the proposed project?
10. If the answer to the previous question is yes, please provide name agency and contact information.
11. Is there or will there be a letter from the appropriate state officials confirming that should the project be approved the appropriate state agency is willing and able to serve as the recipient for the grant?