



LEGISLATIVE UPDATE

FY19 Appropriations – House & Senate

TO: NEMA State Directors
FROM: NEMA Legislative Committee
DATE: September 19, 2018
SUBJECT: FY19 Appropriation – House & Senate

Back in July, the House Appropriations Committee completed work on their version of the Department of Homeland Security (DHS) budget for FY19 ending September 30, 2019. A summary outlining the specifics of the Senate mark was sent to directors June 25. This memo summarizes the House bill and provides comparisons to the Senate version. The delay from the House mark was due to the legislation remaining in “draft” status until this week.

After signing the FY18 Omnibus, the President declared his intent to never-again sign a massive package including all Appropriations bills. To that end, Congress is taking the Appropriations process in smaller bites for FY19 with bills for the Departments of Defense, Labor, and Health and Human Services already seeing significant action. By the end of the month, up to six or seven bills could be signed into law. While DHS will not be one of them, all signs point to a Continuing Resolution for several departments extending FY18 funding levels until the first week or two of December.

Department-Wide Summary

The House mark provides a discretionary total of \$58.1 billion for DHS (\$55.151 Senate). Both reflect sizeable increases over FY18 enacted levels. The bill includes:

- Customs and Border Patrol. While the Senate recommends a generous \$239 million increase, the House increases CBPs budget by \$3.8 billion over FY18 enacted levels.
- U.S. Coast Guard. The major difference between the House and Senate is the Senate’s decision to provide the \$750 million requested by the administration for construction of a new Polar Icebreaker.
- Both chambers recommend generous increases for Immigration and Customs Enforcements (\$328M House, \$135M Senate), the Transportation Security Administration (\$160M House, \$117M Senate), and the Secret Service (\$161M House, \$173M Senate).
- Where the Senate rejected the new Countering Weapons of Mass Destruction Office proposed by the administration, the House approved the reorganization. The new \$434 million office combines the Office of Health Affairs (OHA) and Domestic Nuclear Detection Office (DNDO). When combining the budgets for the two organizations, only \$5 million in new funding is provided over FY18 enacted levels.

Federal Emergency Management Agency (FEMA)

In total, the House recommends \$11.93 billion for FEMA compared to the Senate’s \$11.69. Both provide \$7.2 billion, as requested, for the Disaster Relief Fund (DRF). In general, the agency is level-funded from FY18 enacted. The Operations and Support account closely resembles FY18 and includes language funding:

- **Urban Search and Rescue Teams.** Consistent with previous years, the Senate recommends \$35 million while the House recommends an additional \$10 million for equipment upgrades.

- **FEMA Integration Team (FIT).** The House provides supportive language of the FIT effort while the Senate remained silent.
- **National Dam Safety Program and National Earthquake Hazard Reduction Program (NEHRP).** As in past years, the Senate specified \$9 million for the Dam Safety Program and \$8.8 million for NEHRP where the House remained silent. As both were included in the President's request, neither should not be a major issue for conference negotiations.
- \$8.8 million for the; and,
- While the \$2 million for the Emergency Management Assistance Compact (**EMAC**) is not specified in the House or Senate report, it was included in the budget request, and therefore should not be an issue for conference negotiations.

The bill includes multiple changes of note in the Federal Assistance (grants) account including:

- **State Homeland Security Grant Program.** The Senate recommends a \$5 million increase and directs it all to Operation Stonegarden. The House recommends a \$31 million increase without specific direction.
- **Urban Area Security Initiative (UASI).** The House recommends a \$31 million increase without specific direction.
- **Non-Profit Security Grant Program.** Both chambers maintain the expanded eligibility of the program and carve-out funds from both SHSGP and UASI.
- **Regional Catastrophic Preparedness Grants.** Not funded since 2011, the Senate recommends reinstating this program and recommends \$15 million where the House remained silent. This will be an issue for them to address during conference negotiations.
- **Rehabilitation of High Hazard Potential Dams.** The Senate recommends new funding for this program and recommends \$15 million whereas the House remains silent.

Disaster Relief Fund

Both the House and Senate recommend the amounts requested by the administration for the Disaster Relief Fund. Of concern for emergency managers is the three *transfers* out of the DRF utilized by the Senate to fund other programs. Details were provided in the NEMA memo for the Senate mark, and a coalition letter sent opposing this practice. Also, where the Senate ends the practice of transferring \$24 million from the DRF to the Office of Inspector General to conduct disaster-related audits, the House continues this practice.

Additional Provisions

- **Disaster Assistance Direct Loan Program** (funded in the supplemental for FY18). The Senate recommends \$3 million to continue the program where the House directs the \$3 million from the DRF.
- **Presidential Residence Protection Assistance (Sec. 530).** Despite these funds being designated with two-year eligibility, the House continues to recommend \$41 million for this effort where the Senate did not. This was a new program started in FY17 to reimburse local law enforcement for assisting the Secret Service in those locations where the President maintains a residence (essentially New York City and West Palm Beach).
- **Rental Assistance (Sec. 534).** The House included a provision prohibiting any denial of continued rental assistance under section 408 of the Stafford Act to an individual or household on the basis of income.
- **Statute of Limitations (Sec. 539).** The House included a provision amending section 705 of the Stafford Act to limit recoupment of funds to three years from the completion of the project vice close-out of the disaster.

SUMMARY: FEDERAL EMERGENCY MANAGEMENT AGENCY

<i>(in millions)</i>	FY18 Enacted	FY19 Senate	FY19 House
Operations & Support	1,030	1,054	1,058
Federal Assistance	3,294	3,273	3,360
State Homeland Security Grant Program	507	512	538
<i>Operation Stonegarden</i>	(85)	(90)	(85)
<i>Non-Profit Security Grant Program</i>	(10)	(10)	(10)
Urban Area Security Initiative	630	605	661
<i>Non-Profit Security Grant Program</i>	(50)	(25)	(50)
Public Transportation Security Assistance	100	100	103
<i>Amtrak Security</i>	(10)	(10)	(10)
<i>Over-the-Road Bus Security</i>	(2)	(2)	(4)
Port Security	100	100	100
Assistance to Firefighters (SAFER/AFG)	700	700	700
Emergency Management Performance Grants (EMPG)	350	350	350
Predisaster Mitigation Grant Program (PDM)	249	250*	249
RiskMAP	263	250*	263
Emergency Food & Shelter	120	100	120
Training & Exercises	275	276	276
<i>Center for Domestic Preparedness</i>	(64)	(66)	(64)
<i>Center for Homeland Defense and Security</i>	(18)	(18)	(18)
<i>Emergency Management Institute</i>	(21)	(21)	(21)
<i>U.S. Fire Academy</i>	(43)	(44)	(43)
<i>National Domestic Preparedness Consortium</i>	(101)	(101)	(101)
<i>Continuing Training</i>	(8)	(8)	(8)
<i>National Exercise Program</i>	(20)	(18)	(21)
Disaster Relief Fund (DRF)	7,901	7,234	7,210
Base Disaster Relief	535	582	558 [#]
Disaster Cap Adjustment	7,366	6,652	6,652

* Senate includes transfer of “unobligated balances from prior year appropriations” from the DRF, the House does not

[#] House amount adjusts for \$24 million for Office of Inspector General

Useful Links

Senate Bill [Bill Language; S. 3109, FY19 Appropriations for DHS](#)

Senate Report [Report Language; 115-283; FY19 Appropriations for DHS](#)

House Bill [Bill Language; H.R. 6776, FY19 Appropriations for DHS](#)

House Report [Report Language to accompany H.R. 6776; FY19 Appropriations for DHS](#)

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

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