

111TH CONGRESS
1ST SESSION

H.R. 2892

AMENDMENT

1 *of the Federal Protective Service will be fully funded in fis-*
2 *cal year 2010 through revenues and collection of security*
3 *fees, and shall adjust the fees to ensure fee collections are*
4 *sufficient to ensure that the Federal Protective Service*
5 *maintains not fewer than 1,200 full-time equivalent staff*
6 *and 900 full-time equivalent Police Officers, Inspectors,*
7 *Area Commanders, and Special Agents who, while working,*
8 *are directly engaged on a daily basis protecting and enforce-*
9 *ing laws at Federal buildings (referred to as “in-service*
10 *field staff”).*

11 *OFFICE OF HEALTH AFFAIRS*

12 *For necessary expenses of the Office of Health Affairs,*
13 *\$135,000,000, of which \$30,411,000 is for salaries and ex-*
14 *penses; and of which \$104,589,000 is to remain available*
15 *until September 30, 2011, for biosurveillance, BioWatch,*
16 *medical readiness planning, chemical response, and other*
17 *activities: Provided, That not to exceed \$3,000 shall be for*
18 *official reception and representation expenses.*

19 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

20 *MANAGEMENT AND ADMINISTRATION*

21 *For necessary expenses for management and adminis-*
22 *tration of the Federal Emergency Management Agency,*
23 *\$859,700,000, including activities authorized by the Na-*
24 *tional Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.),*
25 *the Robert T. Stafford Disaster Relief and Emergency As-*

1 *sistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire*
2 *Assistance Act of 2000 (division C, title I, 114 Stat. 583),*
3 *the Earthquake Hazards Reduction Act of 1977 (42 U.S.C.*
4 *7701 et seq.), the Defense Production Act of 1950 (50 U.S.C.*
5 *App. 2061 et seq.), sections 107 and 303 of the National*
6 *Security Act of 1947 (50 U.S.C. 404, 405), Reorganization*
7 *Plan No. 3 of 1978 (5 U.S.C. App.), the Homeland Security*
8 *Act of 2002 (6 U.S.C. 101 et seq.), and the Post-Katrina*
9 *Emergency Management Reform Act of 2006 (Public Law*
10 *109–295; 120 Stat. 1394): Provided, That not to exceed*
11 *\$3,000 shall be for official reception and representation ex-*
12 *penses: Provided further, That the President’s budget sub-*
13 *mitted under section 1105(a) of title 31, United States*
14 *Code, shall be detailed by office for the Federal Emergency*
15 *Management Agency: Provided further, That of the total*
16 *amount made available under this heading, \$32,500,000*
17 *shall be for the Urban Search and Rescue Response System,*
18 *of which not to exceed \$1,600,000 may be made available*
19 *for administrative costs; and \$6,995,000 shall be for the Of-*
20 *fice of National Capital Region Coordination: Provided fur-*
21 *ther, That for purposes of planning, coordination, execu-*
22 *tion, and decision-making related to mass evacuation dur-*
23 *ing a disaster, the Governors of the State of West Virginia*
24 *and the Commonwealth of Pennsylvania, or their designees,*
25 *shall be incorporated into efforts to integrate the activities*

1 *of Federal, State, and local governments in the National*
2 *Capital Region, as defined in section 882 of Public Law*
3 *107–296, the Homeland Security Act of 2002.*

4 *STATE AND LOCAL PROGRAMS*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For grants, contracts, cooperative agreements, and*
7 *other activities, \$3,067,200,000 shall be allocated as follows:*

8 *(1) \$950,000,000 shall be for the State Homeland*
9 *Security Grant Program under section 2004 of the*
10 *Homeland Security Act of 2002 (6 U.S.C. 605): Pro-*
11 *vided, That of the amount provided by this para-*
12 *graph, \$60,000,000 shall be for Operation*
13 *Stonegarden.*

14 *(2) \$887,000,000 shall be for the Urban Area Se-*
15 *curity Initiative under section 2003 of the Homeland*
16 *Security Act of 2002 (6 U.S.C. 604), of which, not-*
17 *withstanding subsection (c)(1) of such section,*
18 *\$20,000,000 shall be for grants to organizations (as*
19 *described under section 501(c)(3) of the Internal Rev-*
20 *enue Code of 1986 and exempt from tax section*
21 *501(a) of such code) determined by the Secretary of*
22 *Homeland Security to be at high risk of a terrorist*
23 *attack.*

24 *(3) \$35,000,000 shall be for Regional Cata-*
25 *strophic Preparedness Grants.*

1 (4) \$40,000,000 shall be for the Metropolitan
2 Medical Response System under section 635 of the
3 Post-Katrina Emergency Management Reform Act of
4 2006 (6 U.S.C. 723).

5 (5) \$15,000,000 shall be for the Citizen Corps
6 Program.

7 (6) \$356,000,000 shall be for Public Transpor-
8 tation Security Assistance, Railroad Security Assist-
9 ance, and Over-the-Road Bus Security Assistance
10 under sections 1406, 1513, and 1532 of the Imple-
11 menting Recommendations of the 9/11 Commission
12 Act of 2007 (Public Law 110–53; 6 U.S.C. 1135,
13 1163, and 1182), of which not less than \$25,000,000
14 shall be for Amtrak security, and not less than
15 \$6,000,000 shall be for Over-the-Road Bus Security
16 Assistance.

17 (7) \$350,000,000 shall be for Port Security
18 Grants in accordance with 46 U.S.C. 70107.

19 (8) \$50,000,000 shall be for Buffer Zone Protec-
20 tion Program Grants.

21 (9) \$50,000,000 shall be for Driver’s License Se-
22 curity Grants Program, pursuant to section 204(a) of
23 the REAL ID Act of 2005 (division B of Public Law
24 109–13).

1 (10) \$50,000,000 shall be for the Interoperable
2 Emergency Communications Grant Program under
3 section 1809 of the Homeland Security Act of 2002 (6
4 U.S.C. 579).

5 (11) \$20,000,000 shall be for grants for Emer-
6 gency Operations Centers under section 614 of the
7 Robert T. Stafford Disaster Relief and Emergency As-
8 sistance Act (42 U.S.C. 5196c), of which no less than
9 \$1,500,000 shall be for the Ohio Emergency Manage-
10 ment Agency Emergency Operations Center, Colum-
11 bus, Ohio; no less than \$1,000,000 shall be for the
12 City of Chicago Emergency Operations Center, Chi-
13 cago, Illinois; no less than \$600,000 shall be for the
14 Ames Emergency Operations Center, Ames, Iowa; no
15 less than \$353,000 shall be for the County of Union
16 Emergency Operations Center, Union County, New
17 Jersey; no less than \$300,000 shall be for the City of
18 Hackensack Emergency Operations Center, Hacken-
19 sack, New Jersey; no less than \$247,000 shall be for
20 the Township of South Orange Village Emergency
21 Operations Center, South Orange, New Jersey; no less
22 than \$1,000,000 shall be for the City of Mount Vernon
23 Emergency Operations Center, Mount Vernon, New
24 York; no less than \$900,000 shall be for the City of
25 Whitefish Emergency Operations Center, Whitefish,

1 *Montana; no less than \$1,000,000 shall be for the Lin-*
2 *coln County Emergency Operations Center, Lincoln*
3 *County, Washington; no less than \$980,000 shall be*
4 *for the City of Providence Emergency Operations*
5 *Center, Providence, Rhode Island; no less than*
6 *\$980,000 for the North Louisiana Regional Emer-*
7 *gency Operations Center, Lincoln Parish, Louisiana;*
8 *and no less than \$900,000 for the City of North Little*
9 *Rock Emergency Operations Center, North Little*
10 *Rock, Arkansas.*

11 *(12) \$264,200,000 shall be for training, exercises,*
12 *technical assistance, and other programs, of which—*

13 *(A) \$164,500,000 is for purposes of training*
14 *in accordance with section 1204 of the Imple-*
15 *menting Recommendations of the 9/11 Commis-*
16 *sion Act of 2007 (6 U.S.C. 1102), of which*
17 *\$62,500,000 shall be for the Center for Domestic*
18 *Preparedness; \$23,000,000 shall be for the Na-*
19 *tional Energetic Materials Research and Testing*
20 *Center, New Mexico Institute of Mining and*
21 *Technology; \$23,000,000 shall be for the National*
22 *Center for Biomedical Research and Training,*
23 *Louisiana State University; \$23,000,000 shall be*
24 *for the National Emergency Response and Res-*
25 *cue Training Center, Texas A&M University;*

1 \$23,000,000 shall be for the National Exercise,
2 Test, and Training Center, Nevada Test Site;
3 \$5,000,000 shall be for the Transportation Tech-
4 nology Center, Incorporated, in Pueblo, Colo-
5 rado; and \$5,000,000 shall be for the Natural
6 Disaster Preparedness Training Center, Univer-
7 sity of Hawaii, Honolulu, Hawaii; and

8 (B) \$1,700,000 shall be for the Center for
9 Counterterrorism and Cyber Crime, Norwich
10 University, Northfield, Vermont:

11 *Provided, That 4.1 percent of the amounts provided under*
12 *this heading shall be transferred to the Federal Emergency*
13 *Management Agency “Management and Administration”*
14 *account for program administration, and an expenditure*
15 *plan for program administration shall be provided to the*
16 *Committees on Appropriations of the Senate and the House*
17 *of Representatives within 60 days of the date of enactment*
18 *of this Act: Provided further, That, notwithstanding section*
19 *2008(a)(11) of the Homeland Security Act of 2002 (6*
20 *U.S.C. 609(a)(11)), or any other provision of law, a grantee*
21 *may use not more than 5 percent of the amount of a grant*
22 *made available under this heading for expenses directly re-*
23 *lated to administration of the grant: Provided further, That*
24 *for grants under paragraphs (1) through (5), the applica-*
25 *tions for grants shall be made available to eligible appli-*

1 cants not later than 25 days after the date of enactment
2 of this Act, that eligible applicants shall submit applica-
3 tions not later than 90 days after the grant announcement,
4 and that the Administrator of the Federal Emergency Man-
5 agement Agency shall act within 90 days after receipt of
6 an application: Provided further, That for grants under
7 paragraphs (6) through (10), the applications for grants
8 shall be made available to eligible applicants not later than
9 30 days after the date of enactment of this Act, that eligible
10 applicants shall submit applications within 45 days after
11 the grant announcement, and that the Federal Emergency
12 Management Agency shall act not later than 60 days after
13 receipt of an application: Provided further, That for grants
14 under paragraphs (1) and (2), the installation of commu-
15 nications towers is not considered construction of a building
16 or other physical facility: Provided further, That grantees
17 shall provide reports on their use of funds, as determined
18 necessary by the Secretary: Provided further, That (a) the
19 Center for Domestic Preparedness may provide training to
20 emergency response providers from the Federal Government,
21 foreign governments, or private entities, if the Center for
22 Domestic Preparedness is reimbursed for the cost of such
23 training, and any reimbursement under this subsection
24 shall be credited to the account from which the expenditure
25 being reimbursed was made and shall be available, without

1 *fiscal year limitation, for the purposes for which amounts*
2 *in the account may be expended, (b) the head of the Center*
3 *for Domestic Preparedness shall ensure that any training*
4 *provided under (a) does not interfere with the primary mis-*
5 *sion of the Center to train State and local emergency re-*
6 *sponse providers.*

7 *FIREFIGHTER ASSISTANCE GRANTS*

8 *For necessary expenses for programs authorized by the*
9 *Federal Fire Prevention and Control Act of 1974 (15 U.S.C.*
10 *2201 et seq.), \$800,000,000, of which \$380,000,000 shall be*
11 *available to carry out section 33 of that Act (15 U.S.C.*
12 *2229) and \$420,000,000 shall be available to carry out sec-*
13 *tion 34 of that Act (15 U.S.C. 2229a), to remain available*
14 *until September 30, 2010: Provided, That 5 percent of the*
15 *amount available under this heading shall be for program*
16 *administration, and an expenditure plan for program ad-*
17 *ministration shall be provided to the Committees on Appro-*
18 *priations of the Senate and the House of Representatives*
19 *within 60 days of the date of enactment of this Act.*

20 *EMERGENCY MANAGEMENT PERFORMANCE GRANTS*

21 *For necessary expenses for emergency management*
22 *performance grants, as authorized by the National Flood*
23 *Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert*
24 *T. Stafford Disaster Relief and Emergency Assistance Act*
25 *(42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduc-*

1 *tion Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganiza-*
2 *tion Plan No. 3 of 1978 (5 U.S.C. App.), \$350,000,000: Pro-*
3 *vided, That total administrative costs shall be 3 percent of*
4 *the total amount appropriated under this heading.*

5 *RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM*

6 *The aggregate charges assessed during fiscal year 2010,*
7 *as authorized in title III of the Departments of Veterans*
8 *Affairs and Housing and Urban Development, and Inde-*
9 *pendent Agencies Appropriations Act, 1999 (42 U.S.C.*
10 *5196e), shall not be less than 100 percent of the amounts*
11 *anticipated by the Department of Homeland Security nec-*
12 *essary for its radiological emergency preparedness program*
13 *for the next fiscal year: Provided, That the methodology for*
14 *assessment and collection of fees shall be fair and equitable*
15 *and shall reflect costs of providing such services, including*
16 *administrative costs of collecting such fees: Provided fur-*
17 *ther, That fees received under this heading shall be deposited*
18 *in this account as offsetting collections and will become*
19 *available for authorized purposes on October 1, 2010, and*
20 *remain available until expended.*

21 *UNITED STATES FIRE ADMINISTRATION*

22 *For necessary expenses of the United States Fire Ad-*
23 *ministration and for other purposes, as authorized by the*
24 *Federal Fire Prevention and Control Act of 1974 (15 U.S.C.*

1 2201 et seq.) and the Homeland Security Act of 2002 (6
2 U.S.C. 101 et seq.), \$45,588,000.

3 *DISASTER RELIEF*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For necessary expenses in carrying out the Robert T.*
6 *Stafford Disaster Relief and Emergency Assistance Act (42*
7 *U.S.C. 5121 et seq.), \$1,456,866,000, to remain available*
8 *until expended: Provided, That the Federal Emergency*
9 *Management Agency shall submit an expenditure plan to*
10 *the Committees on Appropriations of the Senate and the*
11 *House of Representatives detailing the use of the funds for*
12 *disaster readiness and support within 60 days after the date*
13 *of enactment of this Act: Provided further, That the Federal*
14 *Emergency Management Agency shall provide a quarterly*
15 *report detailing obligations against the expenditure plan*
16 *and a justification for any changes in spending: Provided*
17 *further, That not later than 60 days after the date of enact-*
18 *ment of this Act, the Administrator of the Federal Emer-*
19 *gency Management Agency shall submit a report to the*
20 *Committee on Appropriations of the Senate, the Committee*
21 *on Appropriations of the House of Representatives and the*
22 *Committee on Homeland Security and Governmental Af-*
23 *airs of the Senate that includes (1) a plan for the acquisi-*
24 *tion of alternative temporary housing units, and (2) proce-*
25 *dures for expanding repair of existing multi-family rental*

1 *housing units authorized under section 689i(a) of the Post-*
2 *Katrina Emergency Management Reform Act of 2006 (6*
3 *U.S.C. 776(a)), semi-permanent, or permanent housing op-*
4 *tions: Provided further, That of the total amount provided,*
5 *\$16,000,000 shall be transferred to the Department of*
6 *Homeland Security Office of Inspector General for audits*
7 *and investigations related to disasters, subject to section 503*
8 *of this Act: Provided further, That up to \$50,000,000 may*
9 *be transferred to Federal Emergency Management Agency*
10 *“Management and Administration” for management and*
11 *administration functions: Provided further, That the*
12 *amount provided in the previous proviso shall not be avail-*
13 *able for transfer to “Management and Administration”*
14 *until the Federal Emergency Management Agency submits*
15 *an implementation plan to the Committees on Appropria-*
16 *tions of the Senate and the House of Representatives: Pro-*
17 *vided further, That the Federal Emergency Management*
18 *Agency shall submit the monthly “Disaster Relief” report,*
19 *as specified in Public Law 110–161, to the Committees on*
20 *Appropriations of the Senate and the House of Representa-*
21 *tives, and include the amounts provided to each Federal*
22 *agency for mission assignments: Provided further, That for*
23 *any request for reimbursement from a Federal agency to*
24 *the Department of Homeland Security to cover expenditures*
25 *under the Robert T. Stafford Disaster Relief and Emer-*

1 *gency Assistance Act (42 U.S.C. 5121 et seq.), or any mis-*
 2 *sion assignment orders issued by the Department for such*
 3 *purposes, the Secretary of Homeland Security shall take ap-*
 4 *propriate steps to ensure that each agency is periodically*
 5 *reminded of Department policies on—*

6 (1) *the detailed information required in sup-*
 7 *porting documentation for reimbursements; and*

8 (2) *the necessity for timeliness of agency billings.*

9 *DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT*

10 *For activities under section 319 of the Robert T. Staf-*
 11 *ford Disaster Relief and Emergency Assistance Act (42*
 12 *U.S.C. 5162), \$295,000 is for the cost of direct loans: Pro-*
 13 *vided, That gross obligations for the principal amount of*
 14 *direct loans shall not exceed \$25,000,000: Provided further,*
 15 *That the cost of modifying such loans shall be as defined*
 16 *in section 502 of the Congressional Budget Act of 1974 (2*
 17 *U.S.C. 661a).*

18 *FLOOD MAP MODERNIZATION FUND*

19 *For necessary expenses under section 1360 of the Na-*
 20 *tional Flood Insurance Act of 1968 (42 U.S.C. 4101),*
 21 *\$220,000,000, and such additional sums as may be pro-*
 22 *vided by State and local governments or other political sub-*
 23 *divisions for cost-shared mapping activities under section*
 24 *1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain*
 25 *available until expended: Provided, That total administra-*

1 *tive costs shall not exceed 3 percent of the total amount ap-*
2 *propriated under this heading.*

3 *NATIONAL FLOOD INSURANCE FUND*

4 *For activities under the National Flood Insurance Act*
5 *of 1968 (42 U.S.C. 4001 et seq.), and the Flood Disaster*
6 *Protection Act of 1973 (42 U.S.C. 4001 et seq.),*
7 *\$159,469,000, which shall be derived from offsetting collec-*
8 *tions assessed and collected under section 1308(d) of the Na-*
9 *tional Flood Insurance Act of 1968 (42 U.S.C. 4015(d)),*
10 *which is available as follows: (1) not to exceed \$52,149,000*
11 *for salaries and expenses associated with flood mitigation*
12 *and flood insurance operations; and (2) no less than*
13 *\$107,320,000 for flood plain management and flood map-*
14 *ping, which shall remain available until September 30,*
15 *2011: Provided, That any additional fees collected pursuant*
16 *to section 1308(d) of the National Flood Insurance Act of*
17 *1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting*
18 *collection to this account, to be available for flood plain*
19 *management and flood mapping: Provided further, That in*
20 *fiscal year 2010, no funds shall be available from the Na-*
21 *tional Flood Insurance Fund under section 1310 of that Act*
22 *(42 U.S.C. 4017) in excess of: (1) \$85,000,000 for operating*
23 *expenses; (2) \$969,370,000 for commissions and taxes of*
24 *agents; (3) such sums as are necessary for interest on Treas-*
25 *ury borrowings; and (4) \$120,000,000, which shall remain*

1 *available until expended for flood mitigation actions, of*
2 *which \$70,000,000 is for severe repetitive loss properties*
3 *under section 1361A of the National Flood Insurance Act*
4 *of 1968 (42 U.S.C. 4102a), of which \$10,000,000 is for re-*
5 *petitive insurance claims properties under section 1323 of*
6 *the National Flood Insurance Act of 1968 (42 U.S.C. 4030),*
7 *and of which \$40,000,000 is for flood mitigation assistance*
8 *under section 1366 of the National Flood Insurance Act of*
9 *1968 (42 U.S.C. 4104c) notwithstanding subparagraphs*
10 *(B) and (C) of subsection (b)(3) and subsection (f) of section*
11 *1366 of the National Flood Insurance Act of 1968 (42*
12 *U.S.C. 4104c) and notwithstanding subsection (a)(7) of sec-*
13 *tion 1310 of the National Flood Insurance Act of 1968 (42*
14 *U.S.C. 4017): Provided further, That amounts collected*
15 *under section 102 of the Flood Disaster Protection Act of*
16 *1973 and section 1366(i) of the National Flood Insurance*
17 *Act of 1968 shall be deposited in the National Flood Insur-*
18 *ance Fund to supplement other amounts specified as avail-*
19 *able for section 1366 of the National Flood Insurance Act*
20 *of 1968, notwithstanding 42 U.S.C. 4012a(f)(8), 4104c(i),*
21 *and 4104d(b)(2)–(3): Provided further, That total adminis-*
22 *trative costs shall not exceed 4 percent of the total appro-*
23 *priation.*

1 *NATIONAL PREDISASTER MITIGATION FUND*

2 *For the predisaster mitigation grant program under*
3 *section 203 of the Robert T. Stafford Disaster Relief and*
4 *Emergency Assistance Act (42 U.S.C. 5133), \$120,000,000,*
5 *to remain available until expended: Provided, That the total*
6 *administrative costs associated with such grants shall not*
7 *exceed 3 percent of the total amount made available under*
8 *this heading.*

9 *EMERGENCY FOOD AND SHELTER*

10 *To carry out the emergency food and shelter program*
11 *pursuant to title III of the McKinney-Vento Homeless As-*
12 *sistance Act (42 U.S.C. 11331 et seq.), \$175,000,000, to re-*
13 *main available until expended: Provided, That total admin-*
14 *istrative costs shall not exceed 3.5 percent of the total*
15 *amount made available under this heading.*

16 *TITLE IV*17 *RESEARCH AND DEVELOPMENT, TRAINING, AND*
18 *SERVICES*19 *UNITED STATES CITIZENSHIP AND IMMIGRATION*20 *SERVICES*

21 *For necessary expenses for citizenship and immigra-*
22 *tion services, \$135,700,000, of which \$5,000,000 is for the*
23 *processing of military naturalization applications and*
24 *\$118,500,000 is for the E-Verify program to assist United*
25 *States employers with maintaining a legal workforce: Pro-*

Calendar No. 83

111TH CONGRESS }
1st Session }

SENATE

{ REPORT
111-31

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS BILL, 2010

—————
JUNE 18, 2009.—Ordered to be printed
—————

Mr. REID (for Mr. BYRD), from the Committee on Appropriations,
submitted the following

REPORT

[To accompany S. 1298]

The Committee on Appropriations reports the bill (S. 1298) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, reports favorably thereon and recommends that the bill do pass.

Total obligational authority, fiscal year 2010

Total of bill as reported to the Senate ^{1 2 3}	\$44,287,748,000
Amount of 2009 appropriations ^{4 5}	44,080,245,000
Amount of 2010 budget estimate ^{2 6}	44,190,938,000
Bill as recommended to Senate compared to—	
2009 appropriations	+ 207,503,000
2010 budget estimate	+ 96,810,000

¹ Includes \$35,500,000 in rescissions.

² Includes a permanent indefinite appropriation of \$261,000,000 for the Coast Guard health care fund contribution.

³ Includes \$241,503,000 for the Coast Guard for the costs of overseas contingency operations.

⁴ Excludes \$2,175,000,000 appropriated in the Department of Homeland Security Appropriations Act, 2004 (Public Law 108–90) for Biodefense Countermeasures that became available for obligation in fiscal year 2009.

⁵ Includes \$2,855,000,000 in emergency appropriations appropriated in Public Law 111–5, the American Recovery and Reinvestment Act of 2009, and Public Law 111–8, the Omnibus Appropriations Act, 2009. Includes rescissions totalling \$72,373,000 pursuant to Public Law 110–329. Includes permanent indefinite appropriation of \$257,305,000 for the Coast Guard health care fund contribution.

⁶ Excludes up to \$241,503,000 for Coast Guard overseas contingency operations requested in Department of Defense “Navy, Operation and Maintenance”.

some detectors have recently been terminated because of technical difficulties with the system. The recommended level of funding shall be used to maintain the remaining first and second generation baseline biological surveillance capability and to complete the Gen-3.0 prototype unit field testing, perform data analysis, and verify the performance of the technology.

PLANNING AND COORDINATION

The Committee recommends \$4,476,000, which is \$1,299,000 below the fiscal year 2009 level and \$2,000,000 above the budget request. The Committee notes the important work that the Office of Medical Readiness and the Food, Agricultural, and Veterinary [FAV] Defense Division do related to component health services and FAV security, especially related to pandemic influenza. The Committee recognizes that the unobligated balances of previous year appropriations, in addition to the amount recommended, will allow the needed work to be completed.

PROJECT BIOSHIELD

The President's budget proposes to transfer the remaining balances appropriated in fiscal year 2004 under the heading "Bio-defense Countermeasures" to the Department of Health and Human Services [HHS]. The transfer of funds, if approved, would be included in the fiscal year 2010 Departments of Labor, Health and Human Services, and Education, and related agencies appropriation bill. The transfer would provide more streamlined management for the program in combination with other related HHS programs. The transfer shall not modify the role for DHS as established in section 319F-2 of the Public Health Service Act, including its authority to determine material threats or as a participant in the procurement process for this program. The Committee strongly urges HHS, in conjunction with DHS to use funds for the intended purpose, as established in section 319F-2 of the Public Health Service Act, which is, "to treat, identify, or prevent harm from biological, chemical, radiological, or nuclear agents indentified as an on-going material threat". It is imperative that these funds be used to ensure the Nation's long-term readiness for all threats and are not depleted at the expense of one current threat.

FEDERAL EMERGENCY MANAGEMENT AGENCY

MISSION

The primary mission of the Federal Emergency Management Agency [FEMA] is to reduce the loss of life and property and protect the Nation from all-hazards, including natural disasters, acts of terrorism, and other man-made disasters, by leading and supporting the Nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$7,094,384,000 for activities of FEMA for fiscal year 2010.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2009 and budget request levels:

FEDERAL EMERGENCY MANAGEMENT AGENCY

[In thousands of dollars]

	Fiscal year 2009 enacted	Fiscal year 2010 budget request	Committee recommendations
Management and Administration	837,437	852,200	859,700
State and Local Programs	3,105,700	¹ 3,867,000	3,067,200
Emergency Appropriations (Public Law 111-5)	300,000		
Firefighters Assistance Grants	775,000	(²)	800,000
Emergency Appropriations (Public Law 111-5)	210,000		
Emergency Management Performance Grants	315,000	(³)	350,000
Radiological Emergency Preparedness Program	- 505	- 265	- 265
United States Fire Administration	44,979	45,588	45,588
Disaster Relief	⁴ 1,400,000	2,000,000	⁴ 1,456,866
Disaster Assistance Direct Loan Program Account ⁵	295	295	295
Flood Map Modernization Fund	220,000	220,000	220,000
National Flood Insurance Fund	(156,599)	(159,469)	(159,469)
National Predisaster Mitigation Fund	90,000	150,000	120,000
Emergency Food and Shelter	200,000	100,000	175,000
Emergency Appropriations (Public Law 111-5)	100,000		
Total, Federal Emergency Management Agency	7,572,906	7,234,818	7,094,384
Appropriations	6,987,906	7,234,818	7,094,384
 Emergency Appropriations (Public Law 111-5)	610,000		

¹ Includes \$590,000,000 for Firefighter Assistance Grants and \$315,000,000 for Emergency Management Performance Grants.

² Budget proposes \$590,000,000 under "State and Local Programs" account.

³ Budget proposes \$315,000,000 under "State and Local Programs" account.

⁴ Includes \$16,000,000 for the transfer to the Office of Inspector General.

⁵ Funding for administrative expenses totaling \$580,000 is provided in the FEMA Management and Administration account.

MANAGEMENT AND ADMINISTRATION

Appropriations, 2009	\$837,437,000
Budget estimate, 2010	852,200,000
Committee recommendation	859,700,000

Funding for Management and Administration [M&A] provides for the development and maintenance of an integrated, nationwide capability to prepare for, mitigate against, respond to, and recover from the consequences of major disasters and emergencies, regardless of cause, in partnership with Federal agencies, State, local, and tribal governments, volunteer organizations, and the private sector. M&A supports FEMA's programs by coordinating between Headquarters and Regional Offices the policy, managerial, resources, and administrative actions.

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$859,700,000 for Management and Administration.

The specific levels recommended by the Committee, as compared to the fiscal year 2009 and budget request levels, are as follows:

MANAGEMENT AND ADMINISTRATION

[In thousands of dollars]

	Fiscal year 2009 enacted	Fiscal year 2010 budget request	Committee recommendations
Operations Activities	798,595	817,205	820,205
National Capital Region Coordination	6,342	6,995	6,995

MANAGEMENT AND ADMINISTRATION—Continued

[In thousands of dollars]

	Fiscal year 2009 enacted	Fiscal year 2010 budget request	Committee recommendations
Urban Search and Rescue	32,500	28,000	32,500
Total, Management and Administration	837,437	852,200	859,700

OPERATIONS ACTIVITIES

The Committee recommends \$820,205,000 for Operations Activities, instead of \$817,205,000 as proposed in the budget. The Committee also includes a transfer of up to \$50,000,000 from Disaster Relief for management and administration activities, as requested in the budget. This transfer will support unforeseen personnel costs related to the conversion of temporary disaster employees to permanent status.

The recommended amount includes an increase of \$5,000,000, which is provided for a human capital study, as described in the FEMA “Management and Administration” account of this report; for a State, Local, and Tribal preparedness task force, as described in the “State and Local Programs” account; and for an increase to Ready.gov. Of the total amount, \$5,900,000 is provided for data center consolidation and migration, which is \$2,000,000 below the request. The reduction is based on the Department’s execution plan that has activity occurring in fiscal year 2011.

Operations Activities include funding for the Disaster Operations Directorate, National Continuity Programs, the Disaster Assistance Directorate, the Logistics Management Directorate, the Mitigation Directorate, administrative costs for the Disaster Assistance Direct Loan Program, the Office of the Administrator, the Office of Policy and Program Analysis, the Office of the Chief Financial Officer, the Office of the Chief Counsel, the Office of Equal Rights, the Office of Regional Operations, the Office of External Affairs, and the Office of Management. Funding for the National Preparedness Directorate and the Grant Programs Directorate is provided in the “State and Local Programs” account.

FISCAL MANAGEMENT AND TRANSPARENCY IN SPENDING

The Committee includes a provision directing FEMA to submit its fiscal year 2011 budget request, including justification materials, by office. Each office and FEMA region shall provide: (1) budget detail by object classification; (2) the number of FTE onboard; (3) the number of FTE vacancies; and (4) the appropriation account(s) used to support the office and the programs managed by the office. This level of detail provides improved transparency and refined tracking of actual spending which is imperative given FEMA’s growth in size and mission. Further, FEMA shall report to the Committee within 15 days if any office receives or transfers more than 5 percent of the total amount allocated to each office.

Since the inadequate response to Hurricane Katrina, FEMA has experienced tremendous change and expedited growth. Additionally, many fiscal reforms have been identified, of which some have been implemented. The Committee recognizes that the Office of the

Chief Financial Officer [OCFO] is the key to stabilizing the important fiscal reforms that have and need to occur. The OCFO is encouraged to continue the proactive and transparent management of resources which will further support FEMA's ability to successfully accomplish its mission.

FINANCIAL WEAKNESSES

The Committee notes that the OCFO is aggressively addressing the material financial weaknesses that have been identified. Despite improvements, FEMA still has weaknesses in its financial management and internal controls as reported by the Office of Inspector General [OIG] in the Management Letter for the fiscal year 2008 DHS' Financial Statement Audit in March 2009, and the OIG Independent Auditor's Report on FEMA's fiscal year 2008 Mission Action Plans in July 2008. The Committee directs FEMA to correct these weaknesses without delay, and to provide a briefing to the Committees on Appropriations within 45 days of the date of enactment of this act on the progress of implementing the Mission Action Plan. Further, the Committee cautions that the OCFO cannot rectify all of the issues identified in the audits on its own. Component heads and program managers must work to resolve the issues as well. FEMA is directed to provide a list of components that have outstanding issues and no plan in place to address those outstanding issues with the fiscal year 2011 budget request.

FEMA WORKFORCE

Since 2007, FEMA has grown from 2,500 FTE to 4,000 FTE and it is better, but not fully, positioned to be responsive to the Nation's needs, including a catastrophic event. The Committee recognizes that after the significant growth of the last several years it is now prudent to take stock of the FEMA workforce and identify future needs to ensure it is fully positioned to respond to the risks the country faces. Therefore, an additional \$2,250,000 is recommended above the request for FEMA to partner with the Homeland Security Institute to conduct a study and evaluation of FEMA's human capital resources. The study shall include, but is not limited to, specific recommendations regarding the overall size of FEMA's workforce and the personnel needs of the specific components, including the Disaster Reserve Workforce; the optimal distribution of personnel between headquarters and regional offices to best accomplish its mission; and the skills needed by FEMA to support the current and the projected risks the Nation faces.

The Committee is extremely disappointed that a lack of internal controls has led to significant discrepancies in data sets for staff on-board and the funding level needed to support those staff. This funding discrepancy has slowed the progress of rebuilding FEMA. Due to the Committee's insistence in prior Appropriations Acts for robust information technology resources and the recent efforts of the OCFO, this issue is being resolved. FEMA is directed to brief the Committee on the specific process used to ensure internal controls are in place to prevent this issue in the future.

The Committee strongly supports a continued and dedicated effort to ensure the Disaster Reserve Workforce has adequate capacity. FEMA is directed to continue its efforts to improve the per-

formance of the Disaster Reserve Workforce, and to continue to provide quarterly briefings to the Committee on this matter.

The Committee also supports the requested increase of \$2,345,000 and 6 FTE for the Office of Environmental Planning and Historic Preservation [EHP]. The work of the EHP staff supports the missions of the Disaster Assistance Directorate, the Mitigation Directorate, and Preparedness grants and should not be a choke point for efforts of rebuilding, mitigation, and preparedness.

STAKEHOLDER INVOLVEMENT

In the Homeland Security Appropriations Act, 2009, \$10,000,000 was withheld from both the Office of the Secretary and Executive Management [OSEM] and FEMA "Management and Administration" until the Secretary of Homeland Security, in coordination with the Administrator of FEMA, certifies to the Committees on Appropriations that a process to incorporate State and local stakeholder input for grants has been developed. It is unconscionable that 6 years after the creation of the Department there is still an inefficient grant process. Further, it is disconcerting that the Secretary has yet to certify a process. The Committee expects a certification no later than August 31, 2009. Similar language is contained in the OSEM section of this report.

INFORMATION AND TECHNOLOGY

The Committee recommends the budget request of \$65,201,000 for information technology [IT] maintenance and improvements. Superb information technology is imperative for FEMA's complex and varied mission. FEMA is directed to continue to provide quarterly briefings to the Committee regarding the progress of IT improvements.

INTEGRATED PUBLIC ALERT AND WARNING SYSTEM

The Committee cautiously supports the budget request for the Integrated Public Alert and Warning System [IPAWS]. The Homeland Security Appropriations Act, 2009, directed FEMA to provide a plan to the Committees on Appropriations by January 2009, outlining the completion of the conversion of IPAWS from the current emergency alert system. To date, no plan has been received. The Committee has been supportive of this important program as upgrades to the current system are needed to provide messages over more types of media to more people before, during, and after a disaster. However, bureaucratic delays do not make citizens safer and each day that passes without improvements to this system is a wasted opportunity to provide timely and accurate information to citizens in harm's way. The Committee expects to receive the plan without delay.

READY.GOV

The Committee recommends \$3,000,000 for Ready.gov, which is \$500,000 above the budget request. The Committee supports the Ready Campaign which educates citizens on how to prepare for and respond to emergencies. While education efforts must be locally driven, they need to be coordinated among all levels of government

for consistency when an emergency, regardless of the size, does occur. If messages are not coordinated at all levels of government, citizens will receive conflicting information potentially causing more harm. The increase is provided to ensure requests from State and local governments to update or to localize public service advertising can be better met.

PRIVATE SECTOR PREPAREDNESS

The Committee encourages FEMA and the National Protection and Programs Directorate [NPPD] to continue joint efforts regarding the improvement of private sector preparedness through the Voluntary Private Sector Preparedness and Accreditation and Certification Program, as required in the 9/11 Act.

EMERGENCY MANAGEMENT INSTITUTE

The Committee supports the budget request of no less than \$7,100,000 for the Emergency Management Institute.

NATIONWIDE PLAN REVIEW UPDATE

The Committee directs FEMA to provide an update on the status of catastrophic planning, including mass evacuation planning, in all 50 States and the 75 largest urban areas by April 16, 2010. The update should include the same certifications and status of plans for evacuations included in the Nationwide Plan Review dated June 16, 2006.

NATIONWIDE CYBER SECURITY REVIEW

The security of State and local information technology networks has serious implications for homeland security, as network security affects both the continuity of government and the operations of critical infrastructure. Cyber attacks have disrupted State government networks, systems, and operations. Despite its importance, there is not a comprehensive effort to evaluate the security level of State or local information technology networks, as it pertains to cyberspace. The Committee directs the Secretary, in coordination with FEMA and NPPD, to report on the status of cyber security measures in place, and gaps in all 50 States and the largest urban areas by June 1, 2010. The report should include certifications from each State and urban area as to the exact status of cyber security measures in place, when the date security plans were last updated, the dates contingency exercises were last conducted, and plans for disaster recovery. Similar language is included in the NPPD section of this report.

STATE, LOCAL, AND TRIBAL PREPAREDNESS TASK FORCE

The Committee provides \$2,250,000 above the budget request to establish and operate a state, local, and tribal preparedness task force. The National Preparedness Directorate, with cooperation from the Office of Intergovernmental Affairs, shall lead the administrative effort for the task force.

In June 2004, the report from the Task Force on State and Local Homeland Security Funding found that the "grants process that has evolved under a microscope without the benefit of "normal ma-

turity” afforded similar programs over the years . . . no one action will solve all of the concerns that have been voiced. This is an enterprise problem that demands an enterprise solution.” Now, 6 years after the creation of DHS, and after the significant growth in FEMA’s size and mission, it is an appropriate time to review the homeland security grant programs and also to take an enterprise wide view of the grants, mandates, and guidance that to date have shaped the current approach to prevent, prepare for, mitigate against, and respond to all-hazards.

The task force shall include members from all levels of government across the preparedness and responder communities and grants administration.

The task force should find consensus-based solutions to an interwoven set of homeland security needs and requirements among all levels of Government for all-hazards. The task force shall review current programs and requirements and provide recommendations for all three levels of government and their equally shared responsibilities in three main areas: grant programs, Federal mandates, and guidance issued by FEMA. FEMA is not limited to \$2,250,000 for this effort.

U.S. FIRE SERVICE NEEDS ASSESSMENT

FEMA, in conjunction with the National Fire Protection Association, is directed to provide to the Committees on Appropriations no later than February 5, 2010, an update to the U.S. Fire Service Needs Assessment. The update shall be consistent with the last assessment completed in February 2006 in scope and methodology.

OFFICE OF NATIONAL CAPITAL REGION COORDINATION

The Committee recommends \$6,995,000 for the Office of National Capital Region Coordination [ONCRC], as requested in the budget. Congress established the ONCRC to enhance domestic preparedness through cooperation of the Federal, State, and local governments in the unique environment of the National Capital Region [NCR].

The Committee remains concerned that planning for evacuation of the NCR during a disaster has not incorporated all of the pertinent officials from the appropriate local communities and States in the decisionmaking process. Therefore, the Committee includes bill language requiring inclusion of the Governors of the State of West Virginia and the Commonwealth of Pennsylvania in the NCR decisionmaking and planning process for mass evacuations. Further, the Committee again directs the Department to include officials from the counties and municipalities that contain the evacuation routes and their tributaries in the planning process.

URBAN SEARCH AND RESCUE

The Committee recommends \$32,500,000, the same amount as provided in fiscal year 2009 and \$4,500,000 above the President’s request, to support the 28 existing Urban Search and Rescue Teams. The Committee is dismayed that the report regarding the need for an additional team, required in the Homeland Security

Appropriations Act, 2009, has not been provided and expects FEMA to provide it without delay.

STATE AND LOCAL PROGRAMS

Appropriations, 2009 ¹	\$3,405,700,000
Budget estimate, 2010 ²	3,867,000,000
Committee recommendation ³	3,067,200,000

¹Includes \$300,000,000 in emergency appropriations provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

²Includes \$590,000,000 for Firefighter Assistance Grants and \$315,000,000 for Emergency Management Performance Grants.

³The Committee recommendation exceeds the requested level by \$105,200,000 after reducing the request by the amounts requested under this heading that are funded elsewhere.

State and local programs provide grants for training, equipment (including interoperable communications equipment), exercises, and technical assistance to improve readiness for potential disasters.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2008 and budget request levels:

STATE AND LOCAL PROGRAMS

[In thousands of dollars]

	Fiscal year 2009 enacted	Fiscal year 2010 budget request	Committee recommendations
Grants:			
State Homeland Security Grant Program ¹	950,000	950,000	950,000
Operation Stonegarden ¹	[60,000]	[60,000]	[60,000]
Urban Area Security Initiative	837,500	887,000	887,000
Regional Catastrophic Preparedness Grants	35,000	35,000	35,000
Metropolitan Medical Response System	41,000	40,000	40,000
Citizen Corps	15,000	15,000	15,000
Public Transportation Security Assistance and Railroad Security Assistance	400,000	250,000	356,000
Emergency Appropriations (Public Law 111-5)	150,000	.....	.....
Port Security Grants	400,000	250,000	350,000
Emergency Appropriations (Public Law 111-5)	150,000	.....	.....
Over-the-Road Bus Security Assistance	12,000	.....	(²)
Trucking Industry Security Grants	8,000	.....	.....
Buffer Zone Protection Program Grants	50,000	50,000	50,000
Driver's License Security Grants Program	(³)	50,000	50,000
Commercial Equipment Direct Assistance Program	8,000	.....	.....
Interoperability Emergency Communications Grant Program	50,000	50,000	50,000
Emergency Operations Centers	35,000	.....	20,000
Fire Assistance Grants	(⁴)	590,000	(⁴)
Emergency Management Performance Grants	(⁵)	315,000	(⁵)
Subtotal, Grants	3,141,500	3,482,000	2,803,000
National Programs:			
National Domestic Preparedness Consortium/Other Programs	103,700	51,500	103,700
Center for Domestic Preparedness/Noble Training Center	62,500	62,500	62,500
National Exercise Program	40,000	42,000	40,000
Technical Assistance	11,000	13,000	13,000
Continuing Training Grants	31,000	23,000	27,000
Evaluations and Assessments	16,000	18,000	18,000
Subtotal, National Programs	264,200	210,000	264,200
Management and Administration	(⁶)	175,000	(⁶)
Total, State and Local Programs	3,405,700	⁷ 3,867,000	3,067,200
Appropriations	3,105,700	3,867,000	3,067,200

STATE AND LOCAL PROGRAMS—Continued

[In thousands of dollars]

	Fiscal year 2009 enacted	Fiscal year 2010 budget request	Committee recommendations
Emergency Appropriations (Public Law 111-5)	300,000	.....	.....

¹ Funding for Operation Stonegarden provided within the State Homeland Security Grant Program.

² Funding available under Public Transportation Security Assistance and Railroad Security Assistance PPA.

³ Funding of \$50,000,000 provided for similar purpose in a general provision.

⁴ Funds appropriated under the Firefighter Assistance Grants account.

⁵ Funds appropriated under the Emergency Management Performance Grants account.

⁶ Funding provided as a percentage of State and Local Programs appropriation.

⁷ The Committee recommendation exceeds the requested level by \$105,200,000 after reducing the request by the amounts requested under this heading that are funded elsewhere.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$3,067,200,000 for State and local programs. The Committee recommendation exceeds the requested level by \$105,200,000 after reducing the request by the amounts requested under this heading that are funded elsewhere. The Committee includes a provision providing 4.1 percent of the total amount appropriated for State and local programs for both the Grants Programs Directorate [GPD] and the National Preparedness Directorate [NPD]. This is consistent with the structure of previous years and provides the same amount as requested in the President's fiscal year 2010 budget for these important activities. The funds provided for State and local grants are to be used for purposes consistent with each State's homeland security strategy, including: training and exercises; equipment, including interoperable communications equipment; and technical assistance; and may not, with certain exceptions, be used for construction activities.

The President proposes to reduce port security, transit security and fire grants by \$485,000,000 based on the assertion that funds were provided for these programs in the Stimulus Act. The Committee does not accept the notion that these cuts are justified by the availability of Stimulus Act funds, which were provided for different purposes and to create jobs. The Stimulus Act funds were not provided to prefund fiscal year 2010 activities. The Committee has restored these cuts to the extent possible.

State and local assistance is for strengthening "first responders"—police, fire, rescue, emergency medical, and other personnel—who are first on scene in the event of a terrorist attack, natural disaster, or a catastrophic event. For purposes of eligibility for funds under this heading, any county, city, village, town, district, borough, parish, port authority, transit authority, intercity rail provider, commuter rail system, freight rail provider, water district, regional planning commission, council of government, Indian tribe with jurisdiction over Indian country, authorized tribal organization, Alaska Native village, independent authority, special district, or other political subdivision of any State shall constitute a "local unit of government."

The Department is encouraged to consider the need for mass evacuation planning and pre-positioning of equipment for areas potentially impacted by mass evacuations in allocating first responder funds. The Department is encouraged to work with States, local governments, and non-profit entities to develop comprehensive strategies for evacuating, transferring, and providing continued

care for high-risk obstetric patients and neonates. Further, the Committee urges the Department to encourage State and local governments and all grantees to develop pre-event recovery plans in conjunction with their response and mitigation plans. The Committee is concerned that Federally recognized tribes are not adequately included in homeland security efforts and encourages FEMA to require State and local governments to include tribal governments in their planning efforts. Additionally, the Committee is concerned that State and local cyber security issues are not receiving the required resources and attention and FEMA is encouraged to require State and local governments to include Chief Information Officers in planning efforts. The Committee is concerned that drinking water and sanitation security needs, especially related to emergency response initiatives, are not adequately addressed and FEMA is encouraged to require State and local governments to include rural water associations in planning efforts as well.

The Committee is supportive of the Department's efforts to evaluate applications based on risk and effectiveness. The Department should continue its efforts to evaluate the State Homeland Security Grant Program [SHSGP] and the Urban Area Security Initiative [UASI] applications based on how effectively these grants will address identified homeland security needs. The Department shall work aggressively to ensure grant applicants have the same information that is available to the Department with regard to threat, vulnerability, and consequence to ensure applications reflect true risk.

The Committee expects FEMA to continue to fully engage subject matter experts within the Department when appropriate in the development of grant guidance and the determination of awards. Subject matter experts include the U.S. Customs and Border Protection, Coast Guard, the Transportation Security Administration, the National Protection and Programs Directorate, the Office of Health Affairs, Science and Technology, the Law Enforcement Advisor to the Administrator, and the DHS Office of State and Local Law Enforcement. Full engagement of subject matter experts, however, does not diminish FEMA's responsibilities to be the lead Agency and foremost coordinator of each of the grant programs. FEMA is directed to assume all programmatic functions of grant programs for the Department and shall be the primary point of contact for all grantees. The Committee is concerned that there continues to be imperfect cooperation and collaboration between GPD and some subject matter experts. It is imperative that components put aside differences and focus on how best to manage and improve the programs funded by Congress.

The Committee includes specific timeframes for grant dollar distribution and expects FEMA and the Department to comply with the law to ensure homeland security funds are distributed in a timely manner. For SHSGP, UASI, Regional Catastrophic Preparedness Grants, Metropolitan Medical Response System Grants, and Citizens Corps Program grant guidance shall be issued in 25 days, applicants shall apply within 90 days after guidance is issued, and FEMA shall act on the application within 90 days after applications are due. For Public Transportation Security Assistance and Railroad Security Assistance, Port Security Grants, Over-The-

Road Bus Security Assistance, Driver's License Security Grants Program, Interoperable Emergency Communications Grant Program, and Buffer Zone Protection Program, grant guidance shall be issued in 30 days, applicants shall apply within 45 days after guidance is issued, and FEMA shall act on the application within 60 days after applications are due.

The Committee directs FEMA to provide a report on the factors it uses to set the priorities within grant guidance. The report shall also include an evaluation of the funding that has been used for planning and recovery, especially for transit security and port security.

STATE HOMELAND SECURITY GRANT PROGRAM

The Committee recommends \$950,000,000 for State Homeland Security Grant Program [SHSGP], of which \$60,000,000 shall be for Operation Stonegarden Grants, as requested in the budget. The Committee notes that the 0.1 percent allocation of SHSGP to directly eligible tribes, as required in the 9/11 Act, is a minimum, not the maximum, amount that should be made available based on risk. Further, the Committee encourages the Department to clarify that Western Hemisphere Travel Initiative [WHTI] implementation activities, including issuance of WHTI compliant tribal IDs are eligible under this grant program. In accordance with section 2004 of the Homeland Security Act of 2002, all funds (excluding Operation Stonegarden) above the amount automatically allocated to States and territories, shall be allocated based on risk (as defined by threat, vulnerability, and consequences). Operation Stonegarden shall be competitively awarded.

URBAN AREA SECURITY GRANT PROGRAM

The Committee recommends \$887,000,000 for the UASI Grant Program, as proposed in the budget. Of the amount provided under this heading, \$20,000,000 is available for nonprofit entities determined to be at risk by the Secretary.

LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM

In accordance with section 2006 of the Homeland Security Act of 2002, the Law Enforcement Terrorism Prevention Program [LETPP] is funded through a required set aside of 25 percent of the funds appropriated through the SHSGP and UASI programs. The Committee directs FEMA to provide clear guidance to States and urban areas to ensure that the intent of LETPP is fully realized and the program is fully maximized.

REGIONAL CATASTROPHIC PREPAREDNESS GRANT PROGRAM

The Committee recommends \$35,000,000 for the Regional Catastrophic Preparedness Grant Program [RCPGP], the same amount as proposed in the budget.

The RCPGP has provided needed funding for planning efforts. As plans are completed, FEMA is directed to: prioritize funding for efforts which formalize sustainable working groups for continued effective coordination; ensure synchronization of plans and shared best practices; implement citizen and community preparedness

campaigns; and pre-position needed commodities and equipment. FEMA is further directed to take into account the needs of both the area at risk of attack and likely host communities.

METROPOLITAN MEDICAL RESPONSE SYSTEM

The Committee recommends \$40,000,000 for the Metropolitan Medical Response System [MMRS], instead of \$40,000,000 for the Medical Surge Grant Program, as proposed in the budget.

The Committee is perplexed that the President's budget includes a request to replace the MMRS program with a program, called Medical Surge Grant Program, that has no clear explanation or justification. Therefore, this proposal is rejected.

CITIZENS CORPS

The Committee recommends \$15,000,000 for the Citizens Corps Program, as proposed in the budget.

PUBLIC TRANSPORTATION SECURITY ASSISTANCE, RAILROAD SECURITY ASSISTANCE, AND OVER-THE-ROAD BUS SECURITY ASSISTANCE

The Committee recommends \$356,000,000 for Public Transportation Security Assistance [PTSA], Railroad Security Assistance [RSA], and Over-The-Road Bus Security Assistance; instead of \$250,000,000 for PTSA and RSA, and no funding for Over-The-Road Bus Security Assistance as proposed in the budget request. Of the recommended amount, no less than \$25,000,000 is provided for Amtrak security needs and no less than \$6,000,000 is for Over-The-Road Bus Security Assistance.

PORT SECURITY GRANTS

The Committee recommends \$350,000,000 the Port Security Grant Program, instead of \$250,000,000 as proposed in the budget.

BUFFER ZONE PROTECTION PROGRAM

The Committee recommends \$50,000,000 for the Buffer Zone Protection Program, as proposed in the budget.

DRIVER'S LICENSE SECURITY GRANTS PROGRAM

The Committee recommends \$50,000,000 for the Driver's License Security Grants Program, as proposed in the budget.

INTEROPERABILITY EMERGENCY COMMUNICATIONS GRANTS

The Committee recommends \$50,000,000 for Interoperability Emergency Communications Grants, the same amount as proposed in the budget.

The Committee expects that before grant dollars can be obligated by grantees for interoperable communications equipment, jurisdictions must certify to FEMA that the funds are being spent in accordance with their plans. The Committee directs FEMA Regional Offices to assist in integrating communications plans.

EMERGENCY OPERATIONS CENTERS

The Committee recommends \$20,000,000 for Emergency Operations Centers, instead of no funding as proposed in the budget.

Bill language is included providing for the Congressionally directed spending items listed in the following table:

EMERGENCY OPERATIONS CENTERS

	Amount
State of Ohio	\$1,500,000
City of Chicago, IL	1,000,000
City of Ames, IA	600,000
County of Union, NJ	353,000
City of Hackensack, NJ	300,000
Township of South Orange Village, NJ	247,000
City of Mount Vernon, NY	1,000,000
City of Whitefish, MT	900,000
Lincoln County, WA	1,000,000
City of Providence, RI	980,000
North Louisiana Regional, LA	980,000
City of North Little Rock, AR	900,000

CENTER FOR DOMESTIC PREPAREDNESS

The Committee recommends \$62,500,000 to continue activities for the Center for Domestic Preparedness. Included in this amount is funding to continue activities for the Noble Training Center.

NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM/OTHER PROGRAMS

The Committee recommends \$102,000,000 for the National Domestic Preparedness Consortium, instead of \$51,500,000, as proposed in the budget. Funds are to be allocated in the same amounts as fiscal year 2009. Existing members of the Consortium include: the National Energetic Materials Research and Testing Center, New Mexico Institute of Mining and Technology; the National Center for Biomedical Research and Training, Louisiana State University; the National Emergency Response and Rescue Training Center, Texas A&M University; the National Exercise, Test, and Training Center, Nevada Test Site; the Transportation Technology Center, Incorporated, in Pueblo, Colorado; and the Natural Disaster Preparedness Training Center, University of Hawaii, Honolulu, Hawaii.

The Committee clarifies that the Natural Disaster Preparedness Training Center provides natural disaster preparedness training, including outreach and response training for the public, all hazards training for first responders with a particular focus on challenges facing island and rural communities, and a certificate and undergraduate degree program for homeland security and disaster management.

The Committee also recommends \$1,700,000 for counterterrorism and cybercrime training at Norwich University in Northfield, Vermont.

CONTINUING TRAINING GRANTS

The Committee provides \$27,000,000 for continuing training grants, \$4,000,000 above the request and \$4,000,000 below fiscal

year 2009. The Committee supports full funding of programs that deliver homeland security curricula in the form of executive education programs and accredited master’s degree education. The Committee also notes the importance of the Mobile Education Team providing half-day, graduate-level seminars on homeland security challenges for Governors, Mayors, and senior staff being conducted prior to any emergency their community may experience.

NATIONAL EXERCISE PROGRAM

The Committee recommends \$40,000,000 for the National Exercise Program, the same amount as fiscal year 2009, and \$2,000,000 below the budget request.

TECHNICAL ASSISTANCE

The Committee recommends \$13,000,000 for Technical Assistance, the same amount as the budget request, and \$2,000,000 above fiscal year 2009.

The Committee encourages FEMA to continue to provide training to first responders through the Domestic Preparedness Equipment Technical Assistance Program.

The Committee encourages FEMA to fulfill requests from States that apply for technical assistance for a feasibility study, including planning and design, of a fixed State emergency training facility.

EVALUATIONS AND ASSESSMENTS

The Committee recommends \$18,000,000 for Evaluations and Assessments. The Committee continues to be alarmed that 6 years after the creation of the Department we still cannot effectively answer the question required by legislative and executive mandate: How prepared are we? A recent GAO report on National Preparedness [GAO–09–369] found that FEMA has taken initial steps to assess capabilities at all levels of government, but faces methodological and coordination challenges in completing the system. The Committee is frustrated with the fractured approach to date of measuring the effectiveness of FEMA programs—from grants to those actions required by Homeland Security Presidential Directive–8. While the Committee understands that an internal working group is beginning to put the pieces of the disparate system together, it fears this process will be cumbersome, wrought with turf battles, and slow to produce usable information. Therefore, the Office of Preparedness Policy, Planning, and Analysis shall brief the Committee monthly on the detailed plans to measure the Nation’s preparedness, including milestone dates and program risks.

FIREFIGHTER ASSISTANCE GRANTS

Appropriations, 2009 ¹	\$985,000,000
Budget estimate, 2010 ²	
Committee recommendation	800,000,000

¹Includes \$210,000,000 in emergency appropriations provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

²Budget proposes \$590,000,000 under State and Local Programs.

Firefighter assistance grants, as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229), assist local firefighting departments for the purpose of protecting

the health and safety of the public and fire fighting personnel, including volunteers and emergency medical service personnel, against fire and fire-related hazards.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$800,000,000 for firefighter assistance grants, including \$380,000,000 for firefighter assistance grants, and \$420,000,000 for firefighter staffing grants, to remain available until September 30, 2010. This is \$25,000,000 above the fiscal year 2009 level (excluding funding included in the Stimulus Act) and \$210,000,000 above the level requested in “State and Local Programs”.

The Committee directs the Department to continue the present practice of funding applications according to local priorities and those established by the United States Fire Administration.

The Committee directs the Department to continue direct funding to fire departments and the peer review process. Five percent of grant funds shall be for program administration.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

Appropriations, 2009	\$315,000,000
Budget estimate, 2010 ¹ .....	.....
Committee recommendation	350,000,000

¹ Budget proposes \$315,000,000 under State and Local Programs.

Funding requested in this account provides support to the Nation’s all-hazards emergency management system and helps to build State and local emergency management capability.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$350,000,000 for emergency management performance grants [EMPG], an increase of \$35,000,000 from the amount requested in the budget within the “State and local programs” account. EMPG is an essential source of funding for State and local emergency management.

The Committee directs FEMA to retain EMPG as a separate grant program, and not to combine its funding with any other grant allocation or application process. Not to exceed 3 percent of grant funds shall be for administrative expenses.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

Appropriations, 2009 ¹	-\$505,000
Budget estimate, 2010 ¹	- 265,000
Committee recommendation ¹	- 265,000

¹ Fee collections are estimated to exceed costs.

The Radiological Emergency Preparedness [REP] program assists State and local governments in the development of off-site radiological emergency preparedness plans within the emergency planning zones of commercial nuclear power facilities licensed by the Nuclear Regulatory Commission [NRC]. The fund is financed from fees assessed and collected from the NRC licensees to recover the amounts anticipated to be obligated in the next fiscal year for expenses related to REP program activities.

COMMITTEE RECOMMENDATIONS

The Committee provides for the receipt and expenditure of fees collected, as authorized by Public Law 105–276. The budget estimates fee collections to exceed expenditures by \$265,000 in fiscal year 2010.

UNITED STATES FIRE ADMINISTRATION

Appropriations, 2009	\$44,979,000
Budget estimate, 2010	45,588,000
Committee recommendation	45,588,000

The mission of the United States Fire Administration [USFA] is to reduce losses, both economic and human, due to fire and other emergencies through training, research, coordination and support. USFA also prepares the Nation's first responder and healthcare leaders through ongoing, and when necessary, expedited training regarding how to evaluate and minimize community risk, improve protection to critical infrastructure, and be better prepared to react to all-hazard and terrorism emergencies.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$45,588,000 for the USFA, as requested in the budget.

The Committee directs USFA to work with the United States Department of Agriculture and the Department of Interior to ensure compatible data on wildfires is available. The Committee is dismayed that the facilities master plan report, which was due to the Committees on Appropriations on April 6, 2009, as required by the Homeland Security Appropriations Act, 2009, has not been received and FEMA is expected to provide it without delay.

The Committee directs USFA to provide a briefing within 30 days of the date of enactment of this act on the status of implementing the upgrade to the National Fire Information Reporting System, including future milestones for measuring progress.

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009	\$1,400,000,000
Budget estimate, 2010	2,000,000,000
Committee recommendation	1,456,866,000

Through the Disaster Relief Fund [DRF], the Department provides a significant portion of the total Federal response to victims in presidentially declared major disasters and emergencies. Major disasters are declared when a State requests Federal assistance and proves that a given disaster is beyond the local and State capacity to respond. Under the DRF, FEMA will continue to operate the primary assistance programs, including Federal assistance to individuals and households; and public assistance, which includes the repair and reconstruction of State, local, and nonprofit infrastructure. The post-disaster hazard mitigation set-aside to States, as part of the DRF, works as a companion piece to the National Pre-Disaster Mitigation Fund.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total amount of \$1,456,866,000 for disaster relief. As requested, the Committee recommends bill language transferring up to \$50,000,000 of the total amount to FEMA “Management and Administration” subject to Committee notification, for unforeseen personnel support costs related to the conversion of temporary disaster employees to permanent employees. Additionally, the Committee recommends bill language transferring \$16,000,000 of the total amount appropriated to the Office of the Inspector General for audits and investigations related to disasters. The Committee also recommends bill language requiring an expenditure plan and quarterly reports for disaster readiness and support costs; and a monthly report on the disaster relief expenditures.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

Appropriations, 2009 ¹	\$295,000
Budget estimate, 2010 ¹	295,000
Committee recommendation ¹	295,000

¹Funding for administrative expenses totaling \$580,000 is included in FEMA “Management and Administration”.

Disaster assistance loans authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162) are loans to States for the non-Federal portion of cost sharing funds, and community disaster loans to local governments incurring a substantial loss of tax and other revenues as a result of a major disaster. The funds requested for this program include direct loans and a subsidy based on criteria including loan amount and interest charged. As required by the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), this account records, for this program, the subsidy costs associated with the direct loans obligated in 1992 and beyond (including modifications of direct loans), as well as administrative expenses of the program. The subsidy amounts are estimated on a present value basis; the administrative expenses are estimated on a cash basis.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$295,000, as proposed in the budget, in subsidy costs for disaster assistance direct loans.

The Committee recommends administrative costs for the Disaster Assistance Direct Loan Program totaling \$580,000 for the program. These funds are included in FEMA “Management and Administration”, as proposed in the budget.

Bill language is included directing the gross obligations for the principal amount of direct loans to not exceed \$25,000,000.

FLOOD MAP MODERNIZATION FUND

Appropriations, 2009	\$220,000,000
Budget estimate, 2010	220,000,000
Committee recommendation	220,000,000

This appropriation supports the functions necessary to modernize and digitize flood maps. The flood maps are used to determine appropriate risk-based premium rates for the National Flood Insur-

ance Program, to complete flood hazard determinations required of the Nation’s lending institutions, and to develop appropriate disaster response plans for Federal, State, and local emergency management personnel.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$220,000,000 for the Flood Map Modernization Fund, the same amount as the budget request, and includes language in the bill that provides up to 3 percent of the funds may be made available for administrative purposes.

NATIONAL FLOOD INSURANCE FUND

Appropriations, 2009 ¹	(\$156,599,000)
Budget estimate, 2010	(156,469,000)
Committee recommendation	(156,469,000)

¹ Fully offset by fee collections.

The National Flood Insurance Fund is a fee-generated fund which provides funding for the National Flood Insurance Program. This program enables property owners to purchase flood insurance otherwise unavailable in the commercial market. The National Flood Insurance Act of 1968 authorizes the Federal Government to provide flood insurance on a national basis. This insurance is available to communities which enact and enforce appropriate floodplain management measures and covers virtually all types of buildings and their contents up to \$350,000 for residential types and \$1,000,000 for all other types.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$159,469,000, as proposed in the budget, for the National Flood Insurance Fund, of which \$40,000,000 is for expenses under section 1366 of the National Flood Insurance Act (42 U.S.C. 4104c) to provide assistance planning to States and communities for implementing floodplain management measures to reduce or eliminate the long-term risk of flood damage to buildings and other structures eligible for insurance under the National Flood Insurance Program.

FINANCIAL WEAKNESSES

The Office of Inspector General has identified financial weaknesses in the National Flood Insurance Program as specified in the April 2009, National Flood Insurance Program Management Letter for the fiscal year 2008 DHS’ Financial Statement Audit. The Committee directs FEMA to correct these weaknesses without delay, and to provide a briefing to the Committees on Appropriations within 45 days of the date of enactment of this act on the progress of implementing the Mission Action Plan.

NATIONAL PREDISASTER MITIGATION FUND

Appropriations, 2009	\$90,000,000
Budget estimate, 2010	150,000,000
Committee recommendation	120,000,000

The National Predisaster Mitigation [PDM] Fund provides grants to States, communities, territories, and Indian tribal governments

for hazard mitigation planning and implementing mitigation projects prior to a disaster event. PDM grants are awarded on a competitive basis. This program operates independent of the Hazard Mitigation Grant Program, funded through the Disaster Relief Fund, which provides grants to a State in which a disaster has been declared.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$120,000,000 for PDM, \$30,000,000 above the fiscal year 2009 level, and \$30,000,000 below the request.

EMERGENCY FOOD AND SHELTER

Appropriations, 2009 ¹	\$300,000,000
Budget estimate, 2010	100,000,000
Committee recommendation	175,000,000

¹Includes \$100,000,000 in emergency appropriations provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

This appropriation funds grants to nonprofit and faith-based organizations at the local level to supplement their programs for emergency food and shelter to provide for the immediate needs of the homeless.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$175,000,000 for Emergency Food and Shelter, which is \$75,000,000 above the budget request level.