

# FEMA National Advisory Council

Public Meeting

Topic: RESPONSE Act Recommendations

February 23, 2018



FEMA

# Agenda

- 1:00 pm**     **Call to Order and Roll Call**  
*Deana Platt, Designated Federal Officer*
- 1:05 pm**     **Opening Remarks**  
*Jim Featherstone, NAC Chair*
- 1:10 pm**     **RESPONSE Subcommittee Recommendations Update**  
*Katie Fox, RESPONSE Subcommittee Co-Chair*
- 1:20 pm**     **Public Comment**
- 1:30 pm**     **NAC Discussion**
- 2:45 pm**     **Voting (or when discussion is complete)**
- 3:00 pm**     **Close**

# “Recommendation 5”

**On November 29, 2018, the RESPONSE Subcommittee submitted a recommendation:**

FEMA and DOT should consider allowing funding from grants, cooperative agreements, or other sources to cover backfill/overtime payments to be granted to career/paid emergency responders from rural communities, based on demonstrated need.

**In discussion, the NAC made changes to the recommendation text and asked FEMA for projections on the effect of this recommendation if applied throughout the grants program.**

# What effect would this recommendation have?

## FEMA

- FEMA preparedness grants that allow training already cover backfill and overtime activities for *eligible* personnel to attend.
- Relevant programs include the Homeland Security Grant Program (HSGP), Emergency Management Performance Grant (EMPG), Tribal Homeland Security Grant Program (THSGP), Nonprofit Security Grant Program (NSGP, for non-profit organizations only), Transit Security Grant Program (TSGP), Port Security Grant Program (PSGP), and Intercity Passenger Rail (IPR) Program – Amtrak.
- Eligible training costs are limited based on the annual Notice of Funding Opportunity (NOFO) for each program, which typically requires that all supported investments are based on capability targets and gaps identified during the Threat and Hazard Identification and Risk Assessment (THIRA) process and assessed in the State Preparedness Report (SPR).
- Within those guidelines, training investments are based on demonstrated need determined at the state/local/tribal level.
- For example, while HAZMAT training may be allowable under the Port Security Grant Program (PSGP), rail HAZMAT training would not be allowed because it does not directly support port security.
- In addition, many of these programs require a terrorism nexus. Therefore, jurisdictions/agencies requesting rail HAZMAT training must explain how the investment relates to terrorism preparedness (vs general/public safety).

# What effect would this recommendation have?

## PHMSA

- This recommendation would have an effect on PHMSA preparedness grants; the extent would be determined based on the criteria/condition language that PHMSA adopts.
- HAZMAT Emergency Preparedness (HMEP) grant program awards to States, territories, and Native American Tribes are relatively small dollar amounts ranging from \$25,000 to \$1.5 Million per recipient.
- Currently, stipends and backfill/overtime are not allowable expenses under the HMEP grant program.
- If allowed, these expenses could rapidly exhaust available funds, reducing the number of activities performed and ultimately the number of responders trained.
- Based on feedback from the RESPONSE Subcommittee and HMEP grantees, PHMSA is willing to reconsider its policy.
- To mitigate the concern of rapidly exhausting funds, PHMSA needs flexibility to develop and implement criteria/conditions to allow stipend and overtime/backfill expenses as appropriate to ensure funds are being maximized to meet the program's statutory intent.
- One option could allow a small percentage of a grantee's total award to cover stipends and/or backfill/overtime. Another option could allow stipend and backfill/overtime expenses for specific types of HAZMAT training such as rail response.

# Recommendation for Consideration

## **Proposed Recommendation:**

FEMA and DOT should consider allowing funding from grants, cooperative agreements, or other sources to cover backfill/overtime payments for career/paid emergency responders to attend training, based on demonstrated need.

# Previously Approved Recommendations

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The following recommendations were approved by the FEMA NAC on November 29, 2018:

**Recommendation 1:** Federal agencies and training providers should place an emphasis on training in a local/regional/tribal setting with remote/mobile training opportunities.

**Recommendation 2:** Federal funding opportunities for HAZMAT emergency responder training should be awarded based on open competition from all qualified organizations, including for-profit organizations, ensuring the most efficient and effective use of taxpayer funds.

Before making changes to relevant programs, Federal agencies should obtain input from a diverse range of stakeholders, and assess the costs, benefits, and other implications of such changes. Regardless of what type of organization is awarded funding, training will still be provided free of charge to emergency responders.

**Recommendation 3:** FEMA and DOT should consider allowing funding from grants, cooperative agreements, or other sources to cover a daily training attendance stipend for volunteer/unpaid emergency responders, based on demonstrated need.

# Previously Approved Recommendations, continued

**Recommendation 4:** FEMA should develop plans to coordinate increased communications about training opportunities to tribal communities through the FEMA Regional Tribal Liaisons and Tribal Consultation Coordinators. Coordinated communications with national and regional tribal emergency management organizations should also be included in the plans.

**Recommendation 5:** FEMA should consult the National Tribal Affairs Advisor, Regional Tribal Liaisons, and Tribal Consultation Coordinators to develop recommendations, guidelines, or online training to assist any and all responders who will be working with tribal responders and tribal governments.

**Recommendation 6:** Under the direction of PHMSA and FEMA, create a “railroad emergency response toolkit” in a format that allows for the widest possible dissemination of real-time information to the emergency responder and emergency management communities.