



One Hundred Nineteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

July 9, 2026

The Honorable Markwayne Mullin
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Mr. Robert J. Fenton, Jr.
Senior Official Performing the Duties of the Administrator
Federal Emergency Management Agency
500 C Street SW
Washington, DC 20024

Dear Secretary Mullin and Mr. Fenton:

For the second year in a row, we are writing with grave concern about the Department of Homeland Security's (DHS) and the Federal Emergency Management Agency's (FEMA) handling of major preparedness grant funding. Similar to fiscal year (FY) 2025, DHS continues to release Notices of Funding Opportunities (NOFOs) with troubling, potentially unlawful guidance that includes blatant attempts to force communities to comply with the Trump administration's political demands or risk losing millions in counterterrorism grant funding—critical funding meant to support first responders and keep communities safe.

On June 24, FEMA and DHS released the FY 2026 NOFOs for the Department's non-disaster grant funding, including the Homeland Security Grant Program (HSGP), Nonprofit Security Grant Program (NSGP), and Transit Security Grant Program (TSGP). Like last year, the FY 2026 NOFOs include guidance that is confusing, impractical, incomplete, and potentially unlawful.

The following issues raise significant, urgent concerns:

- **DHS and FEMA are withholding nearly \$200 million in FY 2026 counterterrorism funding:** After claiming to reverse former Secretary Kristi Noem's policies on withholding Federal funding,¹ the administration is withholding nearly \$200 million in FY 2026 counterterrorism funding unless States, territories, and cities change State laws and policies related to election administration to comport with new requirements—some of which have

¹ Jasper Ward, *DHS Cancels Policy Requiring Secretary to Review Contracts over \$100,000*, REUTERS (Apr. 1, 2026), <https://www.reuters.com/legal/litigation/dhs-cancels-policy-requiring-secretary-review-contracts-over-100000-2026-04-02/>.

already been struck down by Federal courts—listed in the HSGP NOFO. The requirements mandate that jurisdictions: transition from ballot-marking devices with barcodes or QR codes in favor of paper-ballot systems; conduct a mandatory five percent manual audit of voting systems; reconcile voters and ballots using a methodology the Secretary has not disclosed; and use U.S. Citizenship and Immigration Service’s SAVE system to verify the citizenship of every election worker, vendor, and every registered voter included in voter databases.²

Two days before the HSGP NOFO was published, a Federal judge ruled that using the SAVE system to check voter eligibility is unlawful.³ It is unclear how or why DHS and FEMA published NOFO guidance that would deliberately conflict with a court ruling. To date, FEMA has not provided a revised HSGP NOFO that complies with court orders on the use of the SAVE system. Further, States have reported that other NOFO election security requirements are costly and impossible to achieve on the unrealistic timeline dictated by the administration. Expecting States to overhaul complex voting infrastructure on just a month’s notice is completely infeasible; in fact, some of the requirements would violate State laws.

- **Missing or incomplete application and guidance materials:** In addition to the NOFO containing requirements for States that violate court orders and State laws, the HSGP NOFO’s policies on election security are missing key pieces of information such as the guidelines on post-election manual audits. The NOFO states that these guidelines are to be established by the Secretary, but the guidelines were not provided within the NOFO or other attached material.⁴ Similarly, methodologies from the Secretary on voter and ballot reconciliation are to be established by the Secretary but were not part of the NOFO nor provided in subsequent documentation.⁵

The HSGP and NSGP NOFOs direct applicants to key resources that remain entirely unavailable. Crucial hyperlinks within both NOFOs route to placeholders; for example, the link to the FY 2026 Preparedness Grants Manual simply states the document will be “on this page soon.”⁶ Consequently, State Administrative Agencies (SAAs) are left without the critical information necessary to develop compliant applications, a problem compounded by the fact that specific guidelines and methodologies explicitly referenced in the HSGP NOFO are missing altogether.

² Fed. Emergency Mgmt. Agency, U.S. Dep’t of Homeland Sec., *Fiscal Year 2026 Homeland Security Grant Program: Notice of Funding Opportunity*, Funding Opportunity No. DHS-26-GPD-067-00-98 (June 24, 2026), https://www.fema.gov/sites/default/files/documents/fema_gpd_hsgp-nofo-fy2026.pdf.

³ Jude Joffe-Block, *A Federal Judge Finds a Trump Data System to Verify Voters Is Unlawful*, NPR (June 22, 2026), <https://www.npr.org/2026/06/22/nx-s1-5866719/save-voter-data-trump-judge-unlawful>.

⁴ FEMA, *FY 2026 HSGP NOFO*, *supra* note 2.

⁵ *Id.*

⁶ Fed. Emergency Mgmt. Agency, U.S. Dep’t of Homeland Sec., *Preparedness Grants Manual*, <https://www.fema.gov/grants/preparedness/manual>.

- **The HSGP NOFO instructions contain irrelevant and impractical requirements:** The reimbursement HSGP NOFO instructions remain highly ambiguous and impose impractical and irrelevant administrative burdens for SAAs, such as mandating formal mission statements from all subrecipients—as if a written explanation to deduce the underlying mission of a local fire or police department is needed. The HSGP NOFO requires SAAs to submit whether a subrecipient, such as a fire or police department, “has any diversity, equity, and inclusion practices” or if their work “involves supporting aliens.”⁷ Requiring States to track and report on these metrics before processing routine reimbursements is a severe misallocation of time and resources—especially given that these inquiries have no connection to preventing terrorist threats and attacks, which further demonstrates the difference between the administration’s guidance and the statutory purpose of the program.
- **The Nonprofit Security Grant Program (NSGP) application process is fractured by delays and unclear guidance:** The escalating dangers targeting religious institutions underscore the critical importance of a seamless and transparent grant cycle. The Trump administration’s deliberately slow processing of the FY 2025 NSGP applications pushed the program a year behind schedule. Nonprofits are still waiting for FY 2025 funding decisions and are now expected to complete applications for FY 2026 by July 24, 2026. As a result, at-risk nonprofits are forced to navigate overlapping application cycles without knowing if they even need to apply for the FY 2026 NSGP. With the FY 2026 application window already open and set to close in less than a month, FEMA’s internal delays and contradictory directives are creating unnecessary burdens for subrecipients. This confusion is compounded by conflicting instructions on required documentation and the Trump administration’s new immigration and election-related requirements. Imposing these complex mandates on small, volunteer-run, nonprofit organizations, threatens to penalize the very institutions the program is designed to protect.
- **Threatening and burdensome language:** Inexplicably, the HSGP NOFO contains a threat to end funding for communities. The NOFO states, “Applicants are strongly encouraged to start planning now to sustain existing capabilities using funding sources other than DHS.”⁸ It is unclear why DHS and FEMA included such warning language in the HSGP NOFO, especially since Congress provided an additional \$56 million for FY 2026. This warning raises serious concerns about the Trump administration’s long-term intent to execute the program. The HSGP NOFO explicitly states that “FEMA is instituting additional reviews on all grant payments and obligations...,”⁹ yet FEMA has not explained the need for additional reviews or how these funding delays are impacting the safety of first responders and the communities they protect and serve.
- **Immigration-related conditions:** In a continued effort by the administration to advance anti-immigrant policies, the DHS Standard Terms and Conditions are applicable to all FY 2026 NOFOs and require all recipients, including pass-through entities and their

⁷ FEMA, FY 2026 *HSGP NOFO*, supra note 2.

⁸ *Id.*

⁹ *Id.*

subrecipients, to adhere to onerous immigration-related enforcement and information-sharing requirements that bear no connection to the statutory intent of the preparedness grants. Recipients and subrecipients who fail to comply risk the immediate clawback of their funds. Similar anti-immigrant conditions in the FY 2025 NOFOs resulted in litigation that remains ongoing.

- **Ongoing holds on more than \$600 million in FY 2025 counterterrorism grant funding:**

As DHS continues its rollout of FY 2026 funding, there are ongoing reports of funding for prior years being subjected to holds. Despite official assurances to the contrary, we have heard from several States that FY 2025 HSGP funds are, in fact, being held. Specifically, States are unable to draw down on the combined 65% set-aside required for the FY 2025 National Priority Areas (NPA) and Law Enforcement Terrorism Prevention Activities (LETPA), which is a direct result of restrictive and conflicting guidance set forth by the Trump administration. Due to these de facto holds, States, locals, and first responders are left empty-handed—completely unable to access or expend the very funds meant to help them defend their communities against terrorist attacks and emerging threats.

As we approach the 25th anniversary of September 11th, it is deeply alarming that DHS and FEMA, under Donald Trump, continue to manipulate the very funding born out of a national tragedy. Playing political games with counterterrorism funding undermines public safety and deprives first responders of the resources they need to do their jobs.

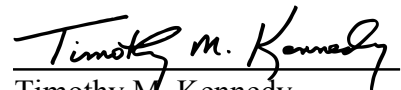
Therefore, we call on the Trump administration to immediately take the following actions:

1. Discontinue use of the FY 2026 NOFOs and revert to the 2024 guidance so that States, nonprofits, and stakeholders are able to apply for critical grant funding that is clear, well-established, complete, and legally compliant.
2. Provide all documentation, including threat and intelligence assessments, internal memoranda, and other materials, that FEMA used to inform the 20% funding hold when developing the election security NOFO requirements.
3. Issue all outstanding FY 2025 NSGP awards immediately to mitigate further confusion for nonprofits and allow the FY 2025 awardees to invest in necessary security upgrades that many have needed for well over a year.
4. Release all funding holds—explicit or de facto—on the FY 2025 HSGP funding so that States, localities, and first responders can immediately access resources that Congress appropriated over a year ago.

Sincerely,



Bennie G. Thompson
Ranking Member
Committee on Homeland Security



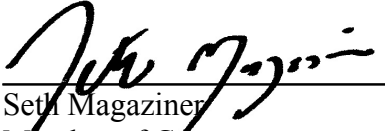
Timothy M. Kennedy
Ranking Member
Subcommittee on Emergency
Management and Technology



J. Luis Correa
Member of Congress



Shri Thanedar
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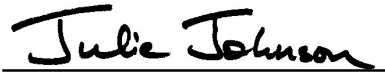
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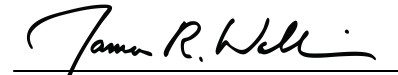
Julie Johnson
Member of Congress



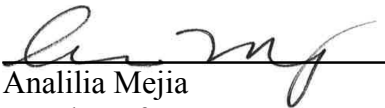
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