



Washington Office:

1022 Longworth HOB
Washington D.C. 20515
(202) 225-2011
(202) 226-0280 [fax]

www.house.gov/sestak



District Office:

600 N. Jackson Street
Suite 203
Media, PA 19063
(610) 892-8623
(610) 892-8628 [fax]

Office of

Joe Sestak

Member of Congress • 7th Congressional District, Pennsylvania

FAX

DATE: 24 February 2009	Pages: 1 + cover
To: The Honorable Janet Napolitano	
Fax: (b) (6)(b) (6)(b) (6)	
From: Congressman Joe Sestak	: DC : PA

2009 FEB 25 PM 3:10

Business Procurement Summit – March 27

FEB 24 2009
Office of Legislative Affairs

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JOE SESTAK
7TH DISTRICT, PENNSYLVANIA

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

(202) 225-2011

February 24, 2009

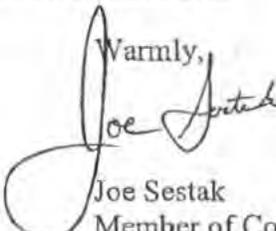
The Honorable Janet Napolitano
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20528

Dear Secretary Napolitano,

The passage and implementation of The American Recovery and Reinvestment Act (ARRA) is a critical milestone for the 111th Congress and President Obama's Administration. Appropriately, very high expectations have been set, and I believe it is critical that the law be implemented quickly in an open and transparent process so that the American public can understand and see first-hand the benefits for them. This is a critical first step in restoring the necessary confidence to restart the economy. In 2007, I hosted my first *Pennsylvania 7th Congressional District Business Procurement Summit* and over 400 men and women attended to learn more about the government business procurement process and interact with exhibitors from over 20 prime and 15 government contractors. For this year's event, I am expanding the scope to include a panel and information booths to explain the numerous aspects of the ARRA and how businesses, local governments and other organizations can access them.

To assist, I would appreciate if you and or an appropriate member of your organization would participate in the opening program of the summit and also to staff an information table and be able to give information regarding your organization's portion of ARRA and answer questions from participants. The event will be held March 27, 2009 at the Springfield Country Club in Springfield, Delaware County, PA (suburban Philadelphia). The opening panel will follow my opening remarks at 8 AM and go until 9:30 AM. This will be followed by a panel of prime contractors. Dr. Mark Zandi, chief economist at Moody's Economy, who has advised Members of the House and Senate on the most effective actions to drive maximum economic stimulus impact, will be the lunch keynote speaker. We also have received preliminary acceptances from Senator Robert P. Casey, Jr. to speak at the conclusion. The exhibition hall and space for constituent interaction relating to ARRA will open at 10:30 AM until 4:30 PM.

To confirm participation or if you have questions, please contact Bibiana Boerio, my Chief of Staff in Washington at (b)(6) (b)(6) or Molly Abbott in my District Office at (b)(6). I look forward to hearing from you and meeting you or members of your organization on March 27th.

Warmly,

Joe Sestak
Member of Congress

COMMITTEES:
ARMED SERVICES
AIR AND LAND FORCES
OVERSIGHT AND INVESTIGATIONS
SEAPOW AND EXPEDITIONARY FORCE
EDUCATION AND LABOR
EARLY CHILDHOOD, ELEMENTARY AND
SECONDARY EDUCATION
HEALTH, EMPLOYMENT, LABOR
AND PENSIONS
SMALL BUSINESS
VICE CHAIRMAN
FINANCE AND TAX
CONTRACTING AND TECHNOLOGY
REGULATION, HEALTH CARE AND TRADE

2009 FEB 25 PM 3:10



**Homeland
Security**

MAY 14 2009

Mayor Gregory J. Nickels
Seattle City Hall, 7th Floor
600 Fourth Avenue
P.O. Box 94749
Seattle, WA 98124-4749

Dear Mayor Nickels:

Thank you for your letter of March 13, 2009, regarding the American Recovery and Reinvestment Act (ARRA). The Department of Homeland Security appropriations under the Recovery Act were very well defined and directed regarding the projects and grants to be funded.

Specifically, you mentioned the Federal Emergency Management Agency (FEMA) Emergency Food and Shelter Grant as an area of particular interest. Under Title III of the McKinney-Vento Act of 1987, the grant is directed to the National Board of homelessness charities. The National Board qualifies jurisdictions for direct Emergency Food and Shelter Program (EFSP) funding awards based on a formula using current population, unemployment and poverty levels. Based on the formulas, King County, Washington was allocated \$508,062.00 in EFSP funds under the ARRA. In addition to direct funding awards, a portion of the funds available are awarded by the National Board to State Set-Aside (SSA) Committees. SSA Committees select jurisdictions for funding with significant needs or service gaps that may not have qualified for direct funding from the National Board. The SSA Committee of Washington was allocated \$34,454.00 in EFSP funds under the ARRA.

Thank you for your support. If you have any further questions or concerns please contact Mr. Thomas Mason at (b)(6) or via email at (b)(6)

Sincerely,

A handwritten signature in black ink, appearing to read "Elaine C. Duke".

Elaine C. Duke
Under Secretary for Management



Gregory J. Nickels
Mayor of Seattle

March 13, 2009

Shaun Donovan, Secretary
Department of Housing and Urban Development
Robert C. Weaver Federal Building
451 Seventh Street, SW, Mail Stop S
Washington, D.C. 20410

Janet Napolitano, Secretary
Department of Homeland Security
Washington, D.C. 20528

2009 APR - 1 PM 5:34

Dear Secretaries Donovan and Napolitano:

Congratulations on your new position with the Obama Administration. Recognizing that one of your first tasks as Secretary is implementation of the American Recovery and Reinvestment Act (ARRA), I want you to know that the city of Seattle stands ready to partner with you in strengthening Seattle's economy and in serving our residents in need. I am writing today to specifically propose ways homeless assistance program funding can be best used to realize the goals of ARRA and deliver the results you and the President rightfully expect out of state and local governments and our non profit partners.

In preparing for Seattle's participation in the ARRA programs, I directed City staff to identify aspects of ARRA homeless assistance funding that will maximize the implementation options of our region's 10 year plan to end homelessness, ensure the effectiveness of these homeless assistance funds, and realize the goals of President Obama and the ARRA.

The City is committed to achieving the goals of our 10 year plan to end homelessness and we are viewing the ARRA homeless funds through that lens. With funds available through the Department of Housing and Urban Development in the Homeless Prevention Fund and the Department of Homeland Security' FEMA Emergency Food and Shelter, the City while not a direct recipient of both of these funds, is concerned that they be used effectively to prevent homelessness as well as move homeless into permanent housing. While the City fully intends to reach out to our local partners who are grantees of your programs, and in fact we are already doing so, it would be most beneficial if your agencies would encourage coordination of these homeless funds at the federal, state and local levels.

There is no doubt that we are facing challenging times with new individuals and families confronting homelessness daily. In the spirit of achieving the maximum benefit from ARRA programs, I directed my staff to identify opportunities we could



achieve by coordinating programs across multiple federal departments. Our intent is to see all ARRA homeless funds in Seattle and our county coordinated in a manner consistent with our 10 year plan. We envision this coordination resulting in the flexible and easy use of these funds across local agencies and jurisdictions in our county to ensure that resources make their way quickly to those most in need and prevent households and communities from facing any hardship or "cliffs" when these grants expire.

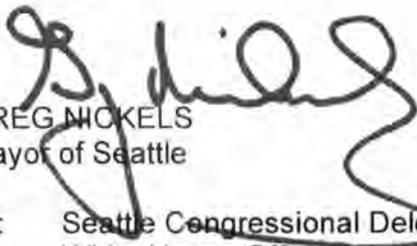
I am also asking that the federal funding requirements take into consideration flexibility and ease of use in administering funds, particularly in determining eligibility for assistance. For example:

- Broaden the definition of who may be considered "homeless" to include those living in their vehicles and others who may not be in shelters or found on the street, yet
- Establish income eligibility that will include households with incomes of up to 50% of median income at a minimum and consider allowing flexibility to exceed income ceiling up to a percentage or for a percentage of recipients
- Ensure that income certification requirements do not create additional barriers or time to providing assistance
- Allow rental assistance subsidies in units where rent levels may exceed HUD prescribed Fair Market Rent maximums
- Expand use of direct client assistance, such as medical payments that put families at risk of eviction and rent payments to families who are not recorded on a lease

As you prepare to issue program guidance and rules, I ask that you take these suggestions into consideration. Seattle is one of the nation's largest metropolitan areas, contributing significantly to the country's GNP through aerospace, technology, biotech, global trade, research institutions and innovative business models. Giving Seattle and our partners the tools to help reinvest in the economy and in our at-risk residents will rebuild our country's global strength and will return the federal investment in spades. Seattle is committed to delivering strategic and effective projects/programs accomplishing the ARRA goals that you and the President will be proud to highlight.

I look forward to partnering with your departments in the implementation of the American Recovery and Reinvestment homeless assistance programs.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Seattle Congressional Delegation
White House Office of Intergovernmental Affairs
Vice President Office of Intergovernmental Affairs



Office of the Mayor

Seattle City Hall, 7th Floor
600 Fourth Avenue
P.O. Box 94749
Seattle, WA 98124-4749

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Janet Napolitano, Secretary
Department of Homeland Security
Washington, D.C. 20528



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APR 29 2009



Homeland
Security

The Honorable Alan Grayson
Member of Congress
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Grayson:

Thank you for your March 23, 2009, letter regarding the Department of Homeland Security's (DHS) plans for setting aside contracting projects for 8(a), women, and minority-owned businesses, particularly in your state of Florida. You have asked that we pay particular attention to 8(a) business development program participants as well as women and minority-owned small businesses under the *American Recovery and Reinvestment Act of 2009*.

DHS is a dedicated supporter of the Small Business Administration's (SBA) programs and has been very successful meeting and exceeding their goals. The Department will continue to include all of the socio-economic groups in contracts utilizing funding from the American Recovery and Reinvestment Act. Opportunities will be maximized for small businesses at the prime and subcontract levels and current processes for identifying potential actions for the socio-economic programs will continue to be successful for contract awards.

Each acquisition with an estimated value of \$100,000 or more will be reviewed for potential inclusion in the socio-economic programs, as required by the Homeland Security Acquisition Procedures. This review is documented on a Small Business Review Form, which is signed by the contracting officer and the small business specialist. Requirements of \$2 million or more are also reviewed by the Small Business Administration Procurement Center Representative assigned to DHS.

The actions that will be awarded using the *American Recovery and Reinvestment Act of 2009* funds will be posted in FedBizOps, as required by the Act and the Office of Management and Budget's implementing guidance. DHS is committed to reaching our goals for all small business categories and believe this approach provides the best opportunity for the small business community.

Thank you for your interest in this matter. An identical letter has been sent to Congresswomen Kosmas and Schultz. If there are any further questions, please contact my office at (202) 447-3400.

Sincerely,

A handwritten signature in black ink, appearing to read "Elaine C. Duke".

Elaine C. Duke
Under Secretary for Management

APR 29 2009



Homeland
Security

The Honorable Suzanne M. Kosmas
Member of Congress
U.S. House of Representatives
Washington, DC 20515

Dear Congresswoman Kosmas:

Thank you for your March 23, 2009, letter regarding the Department of Homeland Security's (DHS) plans for setting aside contracting projects for 8(a), women, and minority-owned businesses, particularly in your state of Florida. You have asked that we pay particular attention to 8(a) business development program participants as well as women and minority-owned small businesses under the *American Recovery and Reinvestment Act of 2009*.

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Each acquisition with an estimated value of \$100,000 or more will be reviewed for potential inclusion in the socio-economic programs, as required by the Homeland Security Acquisition Procedures. This review is documented on a Small Business Review Form, which is signed by the contracting officer and the small business specialist. Requirements of \$2 million or more are also reviewed by the Small Business Administration Procurement Center Representative assigned to DHS.

The actions that will be awarded using the *American Recovery and Reinvestment Act of 2009* funds will be posted in FedBizOps, as required by the Act and the Office of Management and Budget's implementing guidance. DHS is committed to reaching our goals for all small business categories and believe this approach provides the best opportunity for the small business community.

Thank you for your interest in this matter. An identical letter has been sent to Congresswoman Schultz and Congressman Grayson. If there are any further questions, please contact my office at (202) 447-3400.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Duke".

Elaine C. Duke
Under Secretary for Management

APR 29 2009



Homeland
Security

The Honorable Debbie Wasserman Schultz
Member of Congress
U.S. House of Representatives
Washington, DC 20515

Dear Congresswoman Schultz:

Thank you for your March 23, 2009, letter regarding the Department of Homeland Security's (DHS) plans for setting aside contracting projects for 8(a), women, and minority-owned businesses, particularly in your state of Florida. You have asked that we pay particular attention to 8(a) business development program participants as well as women and minority-owned small businesses under the *American Recovery and Reinvestment Act of 2009*.

DHS is a dedicated supporter of the Small Business Administration's (SBA) programs and has been very successful meeting and exceeding their goals. The Department will continue to include all of the socio-economic groups in contracts utilizing funding from the American Recovery and Reinvestment Act. Opportunities will be maximized for small businesses at the prime and subcontract levels and current processes for identifying potential actions for the socio-economic programs will continue to be successful for contract awards.

Each acquisition with an estimated value of \$100,000 or more will be reviewed for potential inclusion in the socio-economic programs, as required by the Homeland Security Acquisition Procedures. This review is documented on a Small Business Review Form, which is signed by the contracting officer and the small business specialist. Requirements of \$2 million or more are also reviewed by the Small Business Administration Procurement Center Representative assigned to DHS.

The actions that will be awarded using the *American Recovery and Reinvestment Act of 2009* funds will be posted in FedBizOps, as required by the Act and the Office of Management and Budget's implementing guidance. DHS is committed to reaching our goals for all small business categories and believe this approach provides the best opportunity for the small business community.

Thank you for your interest in this matter. An identical letter has been sent to Congresswoman Kosmas and Congressman Grayson. If there are any further questions, please contact my office at (202) 447-5300.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Duke".

Elaine C. Duke
Under Secretary for Management

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Congress of the United States
Washington, DC 20515

March 23, 2009

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2009 APR -1 PM 4:21

The Honorable Janet Napolitano
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Napolitano:

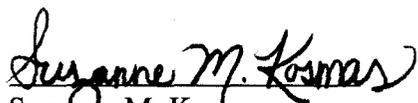
Congratulations on your confirmation as Secretary of Homeland Security. Your appointment signals a new era in the Department of Homeland Security and highlights President Obama's commitment to ensuring that the most qualified people lead our nation.

With the recent enactment of the *American Rescue and Reinvestment Act of 2009*, the Department of Homeland Security has received funding to improve our country's critical border security programs. This is an important step in the effort to protect our nation.

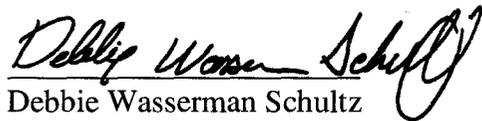
As you begin the bidding process for the projects funded in this bill, I ask that you support the federal set aside mandate to contract with 8(a) women- and minority-owned firms. It is important that as we work to stimulate our economy, we pay particular attention to these types of small businesses. Many women- and minority-owned businesses across the nation, and especially in our state of Florida, offer the expertise necessary to meet the goals of your department and should be considered whenever possible.

Thank you for your attention and we look forward to working with you in the future.

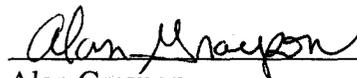
Sincerely,



Suzanne M. Kosmas
Member of Congress



Debbie Wasserman Schultz
Member of Congress



Alan Grayson
Member of Congress

The Honorable Janet Napolitano
Secretary
Department of Homeland Security
Washington, D.C. 20528

RECEIVED MAR 27 2009

SG
MAR 30 2009

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United States Senate

WASHINGTON, DC 20510-7012

March 18, 2009

The Honorable Janet Napolitano
Secretary
United States Department of Homeland Security
Washington, DC 20528

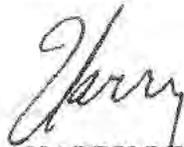
Dear Madam Secretary:

I am writing to you today regarding the implementation of the American Recovery and Reinvestment Act (ARRA, P.L. No. 111-5). Many local governments, nonprofits, businesses, and individuals in Nevada are confused about what funding the act makes available and how to access it.

To help Nevadans better understand the programs included in the act, I am planning an American Recovery and Reinvestment Act Workshop, to be held in Las Vegas, Nevada on April 16, 2009. The event will include representatives from state and federal agencies to answer questions about what programs are available through the ARRA and how funds can be accessed as quickly as possible.

It is my hope that a member of your agency will be present at the event to provide details on your agency's ARRA programs. My grant specialist, Trey Reffett, can provide you or your staff with any additional information you may need about the workshop. He can be reached at (b)(6). Thank you for your time and consideration.

Sincerely,



HARRY REID
Majority Leader
United States Senate-Nevada

3
5M

State of Louisiana



MITCHELL J. LANDRIEU
LIEUTENANT GOVERNOR

POST OFFICE BOX 44243
BATON ROUGE, LA 70804-4243

OFFICE OF THE LIEUTENANT GOVERNOR

March 5, 2009

The Honorable Janet A. Napolitano
U.S. Department of Homeland Security
U.S. Department of Homeland Security
Washington DC 20528

Dear Secretary Napolitano,

I understand that there has been confusion among leaders in Congress, the Obama Administration and the media about Louisiana's stance on stimulus funding. I am writing to assure you that there is bi-partisan support in our state to accept the funding provided in President Obama's stimulus package.

Attached please find an editorial that outlines my position on this issue. As Louisiana faces a \$2 billion deficit and as we continue to recover from four hurricanes in three years, the stimulus package is a lifeline for the people of our state.

Thank you for time and consideration. If I can be of any assistance to you, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink that reads "Mitch".

Mitchell J. Landrieu
Lieutenant Governor

2009 MAR 23 AM 7:52

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The Times

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SUNDAY, MARCH 1, 2009

CADDO ■ BOSSIER ■ WEBSTER ■ DESOTO

Stimulus money will be good for state

With the passage of the federal stimulus bill, Washington is sending some of our hard-earned tax dollars back to Louisiana. To get the economy moving in the right direction, President Obama's stimulus package starts with real help for real families right now.

It will create or save more than 50,000 jobs right here in Louisiana. And it will make sure hard work pays off, with one of the largest tax cuts for working families in history. In fact, the Making Work Pay credit will provide 1.7 million Louisiana workers with up to \$800 immediately.

Gov. Bobby Jindal has signaled reluctance about the stimulus package, and indicated that he will refuse portions of the funding. Like nearly every governor across the nation, Republican and Democrat alike, I believe we should accept this funding now because it is in the best interest of our state. That's putting Louisiana first.

After all, refusing stimulus funding is refusing our own tax dollars, so that another state can take it. We simply cannot afford to subsidize the rest of the country.

By refusing federal funding, we are sending Washington the wrong message at the wrong time. Every day, we are fighting for federal dollars to restore our coast, build Category 5 levees and invest in our farmers.

In addition, this stimulus package is coming at just the right time for Louisiana. We are facing a \$2 billion budget deficit that will have severe consequences for the people of our state. The stimulus package is a lifeline.

MITCH LANDRIEU

GUEST
COLUMNIST



For example, we know that the best way to give our children a chance to succeed in a global economy is to give them an education, but a recent report ranks our state 46th out of 50 states. Tough economic times and budget deficits mean we run the risk of even more teacher layoffs and even poorer performance. This stimulus package provides funds to not just stop those layoffs today, but to build the classrooms of tomorrow, improve early childhood education and make college more affordable. In fact, 77,000 Louisiana families will get help paying for college through a \$2,500 tax credit, and \$718 million in funding will directly reduce planned cuts to our colleges and universities.

We have recently found ourselves near the bottom of state-by-state health rankings. But tough economic times and budget deficits mean less money to cover the uninsured or invest in better hospitals and medical technology. This stimulus package provides as much as \$1.6 billion over two years for our state's Medicaid expenses, protecting access to care for thousands of Louisiana families who might otherwise lose coverage as Medicaid is cut.

After the failure of the federal

levees during Hurricane Katrina, the people of Louisiana know the dire consequences of neglecting infrastructure investments. Yet our infrastructure was graded a disturbing C-plus, and tough economic times and budget deficits mean less funds for repairing crumbling bridges and pothole-riddled highways. This stimulus package invests more than \$400 million in our roads and bridges, with eligible projects ranging from I-49 in Caddo Parish to the Larose Bridge in Lafourche.

As we move stimulus funding from Washington to the state and local level, we must ensure that our taxpayer dollars are spent wisely. To that end, President Obama has created www.recovery.gov to let citizens track their tax dollars at work. He has assigned a team of managers to ensure that every dollar is put to good use and made it clear to all of us in state and local government that he expects the same unprecedented level of accountability and responsibility.

Gov. Jindal and I have enjoyed a strong working relationship, and we sometimes agree to disagree. Now that the stimulus bill has passed, whether you agree with every aspect of the package or not, it is time to secure Louisiana's fair share of the funds and to spend those dollars wisely. It's about solving problems and taking a pragmatic approach rather than a partisan or political one. It's about putting Louisiana first.

■
Mitch Landrieu is Louisiana's lieutenant governor.

* * * COMMUNICATION RESULT REPORT (APR. 17. 2009 12:09PM) * * *

FAX HEADER 1: DHS
FAX HEADER 2:

TRANSMITTED/STORED : APR. 17. 2009 12:02PM	ADDRESS	RESULT	PAGE
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 E-5) MAIL SIZE OVER
 E-2) BUSY
 E-4) NO FACSIMILE CONNECTION



Office of Legislative Affairs
US Department of Homeland Security
Washington, DC 20528
PHONE: 202-447-5890
FAX: 202-447-5437

FACSIMILE TRANSMITTAL SHEET

TO: REP. GUS BILIRAKIS FROM: Office of Legislative Affairs

OFFICE: U.S. HOUSE OF REPS DATE: APR 17 2009

FAX #: (b) (6)(b) (6)(b) (6)(b) (6)(b) (6)(b) (6)(b) (6)(b) (6) TOTAL # OF PAGES INCL COVER: 5

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COMMENTS:

APR 17 2009



Homeland
Security

The Honorable Gus Bilirakis
Ranking Member
Subcommittee on Management, Investigations,
and Oversight
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20510

Dear Representative Bilirakis:

Thank you for your March 17, 2009, letter outlining questions related to the Department of Homeland Security's (DHS) use of funds allocated in the recently enacted *American Recovery and Reinvestment Act* (ARRA) (Public Law 111-5). DHS has taken extraordinary efforts to ensure the proper application and stewardship of the \$2.76 billion appropriated under the ARRA. Our responses to your seven questions are provided below:

1. *Aside from the \$5 million provided to the Department's Office of Inspector General, what other mechanisms have you put in place to ensure this funding is spent appropriately?*

The Department has designated the Senior Counselor to the Secretary as the Agency Accountable Official, thereby placing responsibility as close to the Secretary as practical. The Senior Accountable Official is directly assisted by a career Senior Executive from the Office of the Chief Procurement Officer (CPO) responsible for coordinating both guidance and reporting of ARRA requirements.

In addition, DHS headquarters has assembled a team with participants from the Office of the Chief Financial Officer, Office of the Chief Information Officer, CPO, and the Office of Public Affairs dedicated to ensuring that the transparency requirements of the ARRA are met or exceeded. In addition, each of the DHS Components has identified a senior official who is accountable to the departmental official for the programmatic application of the Components' programs. Ongoing examinations and discussions with the Components at each stage of the program's progress towards announcement, award, and administration will provide multiple opportunities to ensure that guidance is being followed and proper execution of each program is maintained. Finally, the Senior Accountable Official and the DHS Inspector General (IG) have established an open and ongoing dialogue with one another through regularly scheduled weekly conferences to ensure each party is kept up to date on the other's activities, any documentation requested by the IG is promptly provided and well explained and understood by both parties, and cooperative and proactive solutions are applied in process.

- 2. The Act provides a total of \$300 million for the Port Security Grant Program and Transit Security Grant Program. How will these funds be distributed? Will you work to ensure that these funds are provided based on risk to grant recipients with "shovel ready" projects? How will the \$210 million in grants for the construction and improvement of fire stations be distributed?*

The Federal Emergency Management Agency (FEMA) is working very closely with the Transportation Security Administration (TSA) and the United States Coast Guard (USCG) to determine how these programs should be administered. For the Transit Security Grant Program (TSGP), FEMA and TSA believe there is over \$50 million in unfunded projects from the fiscal year (FY) 2009 cycle that could be applied against the ARRA monies. This would allow for an immediate action for part of the monies and simplify the process for a number of grantees. TSA and FEMA are working closely to develop a new grant guidance package for the remaining TSGP monies, and have met with congressional staff to ensure that DHS is on the right track as related to the report language.

Because there were no "carryover" funds from the FY 2009 Port Security Grant Program (PSGP), FEMA and USCG are developing new grant guidance and an application kit package for the ARRA funds. This ARRA grant guidance will continue efforts supporting and building capabilities and protocols that enhance local and regional collaboration.

FEMA is currently consulting with the Fire Service constituent groups to gather their feedback on ways to administer grant funds for fire stations. In all of the grant packages, FEMA will consider the ability to start and complete projects in a short time frame.

- 3. The Act provides \$100 million for border security technology on the Southwest Border. The Department has experienced significant difficulty with SBInet, the technology component of the Secure Border Initiative, including cost overruns and inoperable equipment. How will you ensure that the border security technology procured using this funding will meet the needs of personnel at the border?*

The initial demonstration of the Secure Border Initiative (SBInet) technology was deployed along 28 miles of the U.S.-Mexico border in Tucson, Arizona. This project, known as P-28, was a proof-of-concept demonstration that provided valuable operational, technical, and acquisition lessons relative to implementing an integrated land-based sensor system for cost-effective surveillance and control of the border. Even though P-28 was intended to only be a proof-of-concept demonstration, it continues to be used by U.S. Customs and Border Protection's (CBP) Office of Border Patrol as a valuable technological tool to assist agents with detection of illegal border incursions.

The lessons learned from P-28, along with additional testing in a representative operational environment (Playas, New Mexico), have enabled CBP to facilitate the development and planned deployment of future SBInet projects. The lessons learned included satellite communications shortcomings and the design challenges of using off-the-shelf hardware to develop a complex new system. The importance for complete and comprehensive engineering and operational tests was identified to confirm the technical design, before putting the system in the hands of the end user for actual operations. CBP continues to effectively address these critical lessons learned and has adopted an evolutionary spiral

development strategy to ensure that the *SBI*net program meets reasonable and achievable capability goals and the expectations of CBP personnel at the border. In addition, CBP agents and officers will be directly involved in identifying operational requirements and the most efficient technological tools to assist them in their critical mission.

4. *The Department recently announced that the \$1 billion for aviation security in the Act will create more than 3,000 jobs and the TSA has notified 17 airports that they will receive funding for checked baggage explosive detection systems. How did you determine which airports would receive funding? Are the airports that will receive funding ready to begin work on these projects immediately?*

The airports were selected to mitigate risk, in consideration of other factors in the aviation system, and consistent with the intent of the law to fund projects most ready for execution. Specifically, TSA's airport prioritization list was derived from an established selection process that includes a risk-based Airport Prioritization Model ranking, percent of cost sharing the airport is willing to assume, scoring of the airport's application (including technical designs), and the readiness of the airport to apply funding (i.e., schedule). Only airports that apply for facility modification projects through the formal application process and complete the requirements of the application process are included in the prioritization list. This ensures that only airports ready to initiate work are selected.

5. *The Act provides \$420 million for land port of entry construction and modernization. With aging infrastructure across both our Nation's northern and southern borders how will you determine which ports of entry will receive new or updated facilities?*

In 2003, CBP, in partnership with the U.S. General Services Administration, undertook a thorough assessment of all 163 existing land ports of entry along the northern and southern borders. Based on this information, CBP has outlined a multiyear strategy to modernize every land port facility to address outmoded configurations and years of physical deterioration.

The ARRA provided CBP \$420 million to modernize CBP-owned land ports of entry. CBP will employ these resources to modernize existing CBP-owned land ports of entry along both the northern and southern borders, based on operational priorities, facility assessments, and project risk analyses. While CBP cannot address every need within this critical inventory with the ARRA funds, they will allow us to make significant progress in the Land Ports of Entry modernization program.

6. *Section 1114 of the Act passed by the House of Representatives required recipients of funding under this Act to participate in E-Verify. However, this provision was removed from the enacted version. What will you do to ensure that funding under this Act is not provided to employers that employ individuals in the United States illegally?*

DHS developed and deployed the E-Verify system, which is an electronic system for employers to use to verify the authorization of their employees to work in the United States. While use of the E-Verify system is not mandatory for all employers or all government contractors, it is used by many to strengthen their efforts to validate I-9 information provided to them by new hires. DHS has established a procurement policy to

give preference in source selections to prospective contractors under competitive DHS acquisitions based on the extent to which they use the E-Verify system. Under this approach, a contractor is more likely to receive an award if it demonstrates that it uses E-Verify to ensure its workforce consists of workers who are legally authorized to work in the United States.

7. *Except in certain circumstances, the Act requires the Department to comply with the Buy America Act. What steps have you taken to ensure that the Department complies with this provision? What impact will this have on the Department's procurement efforts? Does the Department have staff that is appropriately trained in this area?*

The CPO is taking a multi-pronged approach to ensure that DHS properly complies with this *Buy America Act* (BAA) requirement. First, CPO is preparing an Acquisition Regulatory Advisory that will go to each contracting professional in the Department to describe the new policy and to provide guidance on how to comply. Second, CPO will conduct refresher training events to keep DHS procurement professionals current on the new requirements and on how to implement them. Third, DHS has developed a specific online training course on the BAA and trade agreements. This course is expected to become available during the next quarter of FY 2009 and it should substantially improve the understanding of and compliance with BAA policies within DHS.

With respect to the impact on DHS procurement efforts, the BAA requirements of the ARRA may increase the cost of some contracts and the associated procurement processes will be more complex and harder to use than existing policies. This is due to the unique nature of the application of provisions such as U.S. Steel and the even more unique application of the textiles provision directed solely at TSA. Those and other Department- or Component-unique procurement provisions mean that CPO must provide specific training for even the most experienced acquisition professionals that are hired from other agencies or transfer from one DHS Component to another.

An identical letter has been sent to the courtesy copy recipients of your letter, which includes the Chairman of the House Homeland Security Committee Subcommittee on Management, Investigations, and Oversight, the Chairman of the House Committee on Homeland Security, and the Ranking Member of the House Committee on Homeland Security.

I appreciate your interest in the Department of Homeland Security's distribution of the ARRA. Should you need further assistance, please contact Jeff Readinger, Office of Legislative Affairs, at (202) 447-5890.

Sincerely,



Chani Wiggins
Assistant Secretary
Office of Legislative Affairs



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

March 17, 2009

The Honorable Janet Napolitano
Secretary
Department of Homeland Security
Washington, D.C. 20528

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2009 MAR 17 PM 4:32

Dear Secretary Napolitano:

I write regarding the recently enacted American Recovery and Reinvestment Act (Act) (P.L. 111-5). This law provides nearly \$3 billion to the Department of Homeland Security (Department) for infrastructure improvements, grants to States and localities, and technology procurement and deployment.

As I am sure you will agree, the Department must work to ensure that these funds are distributed and used in a manner that best enhances security and most efficiently and effectively stimulates the economy. To that end, I would appreciate a response to the following questions.

1. Aside from the \$5 million provided to the Department's Office of Inspector General, what other mechanisms have you put in place to ensure this funding is spent appropriately?
2. The Act provides a total of \$300 million for the Port Security Grant Program and Transit Security Grant Program. How will these funds be distributed? Will you work to ensure that these funds are provided based on risk to grant recipients with "shovel ready" projects? How will the \$210 million in grants for the construction and improvement of fire stations be distributed?
3. The Act provides \$100 million for border security technology on the Southwest border. The Department has experienced significant difficulty with SBInet, the technology component of the Secure Border Initiative, including cost overruns and inoperable equipment. How will you ensure that the border security technology procured using this funding will meet the needs of personnel at the border?
4. The Department recently announced that the \$1 billion for aviation security in the Act will create more 3,000 jobs¹ and the Transportation Security Administration has notified 17 airports that they will receive funding for checked baggage explosive detection systems. How did you determine which airports would receive funding? Are the airports that will receive funding ready to begin work on these projects immediately?

¹ Press Release, Department of Homeland Security, DHS Recovery Act Aviation Projects to Create 3,000 Jobs (March 5, 2009).

5. The Act provides \$420 million for land port of entry construction and modernization. With aging infrastructure across both our Nation's Northern and Southern borders how will you determine which ports of entry will receive new or updated facilities?
6. Section 1114 of the Act passed by the House of Representatives required recipients of funding under this Act to participate in E-Verify. However, this provision was removed from the enacted version. What will you do to ensure that funding under this Act is not provided to employers that employ individuals in the United States illegally?
7. Except in certain circumstances, the Act requires the Department to comply with the Buy America Act. What steps have you taken to ensure that the Department complies with this provision? What impact will this have on the Department's procurement efforts? Does that Department have staff that is appropriately trained in this area?

Many of the provisions of the Act require you to provide expenditure plans to the House and Senate Appropriations Committee by April 9, 2009. I respectfully request that you also provide these plans to the Committee on Homeland Security to better enable our oversight efforts.

Thank you for your consideration of this request. I look forward to working with you to ensure that there is appropriate oversight over the expenditure of these funds.

Sincerely,



GUS M. BILIRAKIS
Ranking Member
Subcommittee on Management, Investigations,
and Oversight

cc: The Honorable Chris Carney, Chairman, Subcommittee on Management, Investigations, and Oversight
The Honorable Bennie G. Thompson, Chairman, Committee on Homeland Security
The Honorable Peter T. King, Ranking Member, Committee on Homeland Security



FEMA

MAR 25 2009

The Honorable Robert F. Bennett
United States Senate
Washington, D.C. 20510

Dear Senator Bennett:

Thank you for your letter, dated February 12, 2009, regarding the American Recovery and Reinvestment Act of 2009 (ARRA) (Pub.L. 111-5), and the associated funding possibilities for projects in your home state of Utah.

The Federal Emergency Management Agency's (FEMA) Grant Programs Directorate (GPD), through its grant programs, is responsible for preparing the Nation against terrorism by assisting States, local and tribal jurisdictions, and regional authorities to reduce vulnerabilities against and prevent, respond to, and recover from terrorist acts.

The ARRA provides FEMA with additional funding for the Assistance to Firefighters Grants, the Port Security Grant Program, and the Transit Security Grant Program. FEMA is currently reviewing the Act to determine allowable costs under the Act's provisions and how best to make those funds available in an expeditious and responsible way. After this review is complete, the program guidance for funding under the ARRA will be made available to the public.

I appreciate your interest in the funding opportunities available under the ARRA and look forward to working with you on future homeland security issues. If you have any further questions or concerns, please have a member of your staff contact the Federal Emergency Management Agency's Legislative Affairs Division at 202-646-4500.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Ross Ashley, III".

W. Ross Ashley, III
Assistant Administrator
Grant Programs Directorate

ROBERT F. BENNETT
UTAH

COMMITTEES:
APPROPRIATIONS
BANKING, HOUSING, AND
URBAN AFFAIRS
RULES AND ADMINISTRATION
JOINT ECONOMIC

United States Senate

WASHINGTON, DC 20510-4403
(202) 224-5444

February 12, 2009

The Honorable Janet Napolitano
Secretary of Homeland Security
U.S. Department of Homeland Security
U.S. Naval Security Station, 3801 Nebraska Avenue, NW
Washington, DC 20393

Dear Secretary Napolitano:

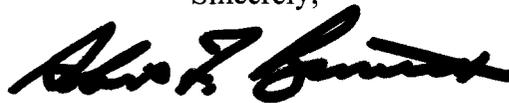
As your department works to allocate funds from the American Recovery and Reinvestment Plan to state and local entities, I am writing to request your support for a number of projects in my home state of Utah that I believe merit your department's attention. I recognize the extensive demands being placed on these funds and, therefore, greatly appreciate any funding considerations you give the projects of Utah.

As you may know, Utah is one of the fastest growing states in the country. As such, Utah dedicates a significant portion of state funding and resources to projects that strengthen its economy and would use federal funds to leverage local funding. I believe the addition of federal funds to these projects would maximize the stimulative effect of these projects on the economy.

Many local governments and agencies in Utah have identified "shovel-ready" projects which are ready-to-go now, at the time that will benefit our economy the most. I believe these projects merit full appraisal by your department. I have enclosed letters from constituents with details on such projects, and I would appreciate it if you would review and consider their request.

Thank you in advance for your careful consideration of these projects that will help the economy of Utah. Further information on each project is available upon request.

Sincerely,



Robert F. Bennett
United States Senator

RFB:nc

STATE OFFICES:

- WALLACE BENNETT FEDERAL BUILDING
125 SOUTH STATE, SUITE 4225
SALT LAKE CITY, UT 84138-1188
(801) 524-5933
- JAMES V. HANSEN FEDERAL BUILDING
324 25TH STREET, SUITE 1410
OGDEN, UT 84401-2310
(801) 625-5676
- OLD COURT HOUSE BUILDING
51 SOUTH UNIVERSITY AVENUE, SUITE 310
PROVO, UT 84601-4424
(801) 851-2525
- FEDERAL BUILDING
196 EAST TABERNACLE, SUITE 21
ST. GEORGE, UT 84770-3474
(435) 628-5514
- 2390 WEST HIGHWAY 56
SUITE 48
CEDAR CITY, UT 84720-2686
(435) 865-1335

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United States Senate

WASHINGTON, DC 20510-4403

OFFICIAL BUSINESS



U.S.

SG

MAR 06 2009

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✓ #162

The Honorable Janet Napolitano
Secretary of Homeland Security
U.S. Department of Homeland
Security
U.S. Naval Security Station, 3801
Nebraska Avenue, NW
Washington, DC ~~20393~~

20528

* * * COMMUNICATION RESULT REPORT (APR. 1. 2009 11:21AM) * * *

FAX HEADER 1: DHS
FAX HEADER 2:

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 (2) NO ANSWER
 (3) MAIL SIZE OVER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION



Office of Legislative Affairs
US Department of Homeland Security
Washington, DC 20528
PHONE: 202-447-5890
FAX: 202-447-5437

FACSIMILE TRANSMITTAL SHEET

TO: REP. RUBEN HINOJOSA FROM: Office of Legislative Affairs

OFFICE: U. S. HOUSE OF REPRESENTATIVES DATE: APRIL 1, 2009

FAX #: (b) (6)(b) (6)(b) (6)(b) (6)(b) (6)(b) (6)(b) (6)

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COMMENTS:

APR 01 2009



Homeland
Security

The Honorable Rubén Hinojosa
U.S. House of Representatives
Washington, DC 20515

Dear Representative Hinojosa:

Thank you for your letter of January 21, 2009, regarding funding for commercial facilities at the new port of entry currently under construction in Donna, Texas. Unfortunately, after careful review, the Department of Homeland Security is unable to move forward with your request at this time.

Beginning in 2003, U.S. Customs and Border Protection (CBP), in partnership with the U.S. General Services Administration (GSA), undertook a thorough assessment of all 163 existing land ports of entry along the northern and southern borders. Based on this information, CBP has outlined a multi-year strategy to modernize every land port facility to address outmoded configurations and years of physical deterioration.

CBP, in conjunction with GSA, will employ the resources provided through the *American Recovery and Reinvestment Act of 2009* (ARRA) to modernize existing land ports of entry along both border regions. The funding provided directly to DHS for ports of entry may only be applied to those facilities owned by CBP and because the Donna port of entry is GSA owned, CBP may not expend its funds for that purpose. Both organizations have targeted the GSA, ARRA, and proposed fiscal year 2010 funds toward the ports in greatest need of modernization. Unfortunately, CBP cannot address every need within this critical inventory, but thanks to the resources provided, we have made great strides towards making the Donna port of entry a reality, as evidenced by the \$23.4 million appropriated for construction in GSA's FY 2008 budget.

I appreciate your interest in this matter and look forward to working with you on future homeland security issues. If I may be of further assistance, please contact the Office of Legislative Affairs at (202) 447-5890.

Sincerely,

A handwritten signature in black ink, appearing to read "Chani Wiggins", written over a horizontal line.

Chani Wiggins
Assistant Secretary

814703

**COMMITTEE ON
EDUCATION AND LABOR**

CHAIRMAN, SUBCOMMITTEE ON HIGHER EDUCATION,
LIFELONG LEARNING, AND COMPETITIVENESS

SUBCOMMITTEE ON EARLY CHILDHOOD,
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AND CONSUMER CREDIT

COMMITTEE ON FOREIGN AFFAIRS

SUBCOMMITTEE ON EUROPE

SUBCOMMITTEE ON ASIA, THE PACIFIC,
AND THE GLOBAL ENVIRONMENT



House of Representatives

Rubén Hinojosa

15th District, Texas

WASHINGTON OFFICE:

2463 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225-2531
FAX: (202) 225-5688

EDINBURG OFFICE:

2864 WEST TRENTON ROAD
EDINBURG, TX 78539
PHONE: (956) 882-5545
FAX: (956) 882-0141

BEEVILLE OFFICE:

107 SOUTH SAINT MARY'S
BEEVILLE, TX 78102
PHONE: (361) 358-8400
FAX: (361) 358-8407

Rep.Hinojosa@mail.house.gov
www.house.gov/hinojosa

January 21, 2009

The Honorable Janet Napolitano
Secretary
Department of Homeland Security
Washington, DC 20528

Dear Madame Secretary:

Congratulations on your confirmation as the new Secretary of the Department of Homeland Security. I was very pleased with your appointment, as I know you understand the challenges that border states and communities face in trying to balance security and the free flow of trade and people.

As Customs and Border Protection works with the General Services Administration to prioritize projects for funding under the stimulus bill and the FY10 appropriations bill, I respectfully ask for your consideration of \$25 million in funding for commercial facilities at the Donna/Rio Bravo International Bridge in Donna, Texas.

This new land port is currently under construction and is scheduled to open at the end of 2009 or early in 2010, depending on when federal inspection facilities are completed. This new bridge is intended to alleviate commercial traffic at the Pharr International Bridge. However, current federal funding will only allow the bridge to operate with non-commercial traffic. The City of Donna is a very small rural, community which has heavily invested their scarce resources in this project. They have donated the land to GSA for the federal facilities and even paid for the federal engineering and design studies in an effort to complete this project more quickly. Paying these federal costs has required them to borrow additional funds for the project.

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BY EXEC SEC

Honorable Janet Napolitano

January 21, 2009

Page 2

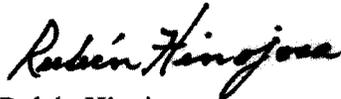
The City of Rio Bravo is the largest border town in Mexico without a crossing and the Mexican government has placed this project at the top of its priority list. The bridge ties into the new Rio Bravo/Monterrey Loop project that is being constructed as part of Mexico's long-term transportation plan. Construction of the Mexican portion of the bridge has also begun.

It is estimated that this project will create over 7,000 sustainable jobs and bring \$500 million in annual economic impact to this depressed region. The bridge is located in the largest Tax Increment Reinvestment Zone in Hidalgo County, which comprises 940 acres with a private-public investment of over \$950 million. It is the last piece of the regional development of this "Golden Triangle" that includes the cities of Donna, Mercedes and the Delta region of Hidalgo County. Already the City of Mercedes has opened a hugely successful outlet mall. Before Christmas we opened the Delta Mercado, a farmer's market funded by the Economic Development Administration. The Donna Bridge is the final economic development piece that will bring the unemployment rates in this portion of the county out of double digits and down to the levels enjoyed by the rest of the county.

While I appreciate the work that has been done by the federal government to expedite this project, this port was always intended to be a commercial crossing. The Presidential Permit initially awarded allows commercial traffic. The General Services Administration has designed both the non-commercial and commercial facilities. The port will not be financially viable without commercial traffic. Although the city agreed to allow the bridge to open without commercial traffic, the assumption was that commercial traffic would be allowed in the very near future so that the city would have the means to repay their loans. I, therefore, request that CBP approve the construction of commercial facilities at this port so that stimulus money or FY10 appropriations funding can be used for this project.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to let me know and I would be glad to provide any additional information you require.

Sincerely,



Rubén Hinojosa
Member of Congress

United States Senate

WASHINGTON, DC 20510

May 12, 2009

The Honorable Janet Napolitano
Secretary
Department of Homeland Security
U.S. Department of Homeland Security
Washington, D.C. 20528-0001

Dear Secretary Napolitano:

We write to express our concern about the way in which your Department has selected contractors for the Land Ports of Entry upgrades funded by the American Recovery and Reinvestment Act of 2009 (P.L. 111-5). We helped write the Recovery Act because we believed that smart investments in our infrastructure would have a positive impact on job creation all over the country, but particularly in rural America.

We were proud to announce recently to the people of Montana that five ports of entry along Montana's northern border with Canada will receive an estimated \$77 million in funding from the Recovery Act. The \$77 million could be a critically important boost Montana's economy by creating jobs and is also an important investment in the ports of entry that keep America safe and facilitate cross-border commerce. As you know, the money will be used to refurbish, remodel or, in some cases, perhaps rebuild the ports of entry in Scobey, Wild Horse, Del Bonita, Morgan, and Whitetail.

However, we believe that the decision to award design contracts for these projects to large national firms is a significant misstep. We are deeply disappointed that Montana companies have been left only with an opportunity to subcontract with large national firms such as J.D. Abrams, Overland, RKJ, ITSI and MCC/Catamount Company. The Border Patrol stations built in Glasgow, Plentywood, Scobey, Malta were all designed and built by Montana architects and construction companies.

As you discussed directly with Senator Tester, the Recovery Act will only be effective if it creates jobs everywhere – not simply at a few large companies. While we understand the need to move funds quickly, it is not clear that this is the most efficient use of taxpayer funds. We have long been advocates of providing additional security for the northern border and have each had the chance to discuss the importance of such projects in meetings with you earlier this year. It is troubling to see Homeland Security neglect the opportunity to create jobs with in places hit hard by the economic downturn. We therefore request a response to the following questions:

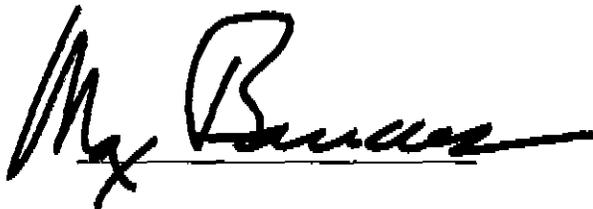
May 12, 2009

Page 2

1. Why was Montana know-how and skill not even given a chance to be considered for planning and engineering work on the port upgrades funded by the Recovery Act?
2. Why were small businesses not at the table when the contracts were negotiated for the planning and design work at these ports?
3. What steps are you taking to ensure that small companies in Montana and across the country can perform the important port upgrades? What actions will your Department take to ensure that small businesses are aware of any subcontracting opportunities that may be available on these contracts?
4. What was the rationale used to select, in a non-competitive manner, large national firms to perform work funded by Congress as part of an economic stimulus package?
5. What data do you have to demonstrate that this process was an effective way to quickly and economically execute these port upgrades?
6. Will small contractors have a seat at the table when future work is contracted for DHS projects funded in the jobs bill?

Thank you for your timely consideration of these important questions. We look forward to working with you to ensure that the jobs bill meets the critical needs of your Department, the great state of Montana, and all of the American people.

Sincerely,

A handwritten signature in black ink, appearing to read "Max Baucus", written over a horizontal line.A handwritten signature in black ink, appearing to read "Jon Tester", written over a horizontal line.