

LETPA Resource Guide

Section 2006 of the *Homeland Security Act of 2002*, as amended (6 U.S.C. § [607](#)), requires the Federal Emergency Management Agency (FEMA) to ensure that at least 25% of grant funding appropriated for grants awarded under the Homeland Security Grant Program's (HSGP) authorizing statute are used for law enforcement terrorism prevention activities (LETPA). For Fiscal Year (FY) 2024, the Department of Homeland Security (DHS) and FEMA required that at least 35% of grant funding appropriated under HSGP be used for LETPA. Therefore, all recipients were required to allocate at least 35% of the combined HSGP funds allocated under the State Homeland Security Program and the Urban Area Security Initiative toward LETPA.

In May 2024, DHS's Office for State and Local Law Enforcement (OSLLE) embarked on a comprehensive compliance review of more than 3,100 FY 2023 HSGP LETPA projects submitted to FEMA. The majority (64%) were found to be compliant in meeting LETPA requirements. Another 15% of projects were ultimately deemed compliant, although they did not include the justification language in the project descriptions as required by IB 485. *While only 4% were noncompliant, OSLLE could not make a determination on the remaining 17% of the projects because recipients provided insufficient information.* As an added support to stakeholders, FEMA and OSLLE have developed this "one-stop" LETPA Resource Guide to further assist our stakeholders in meeting LETPA requirements going forward. This guide brings together LETPA information and guidance from many different sources, consolidated into a single, concise document.

Eligible Activities

For an activity to be counted towards the LETPA requirement, it ***must*** have a law enforcement terrorism prevention nexus. These activities could include equipment, salaries/operational overtime, training, and exercises. If an activity is listed in the authorizing legislation or can be directly tied to a capability in the National Prevention Framework or a shared capability in the National Protection Framework, then it is presumed to have a LETPA nexus and be an allowable expenditure. For all other expenses, a nexus to law enforcement terrorism prevention must be clearly explained. The examples that follow are not exhaustive but rather meant to provide guidance on types of allowable terrorism prevention activities that qualify as a LETPA.

Criteria and categories of equipment, training, and exercises that can be claimed as LETPA, as well as additional guidance on LETPA, can be found in [Information Bulletin 485](#). In addition, the following activities may also be claimed as LETPA:

- Funding of behavioral threat assessment and management teams
- Salaries and operational overtime. For example:
 - Law enforcement operational overtime for enhanced protection of critical infrastructure/key resources, soft targets, etc. (must have prior approval from FEMA).

- Overtime expenses consistent with a state homeland security plan, including for the provision of enhanced law enforcement operations in support of federal agencies, including for increased border security and border crossing enforcement (must have prior approval from FEMA).
- Maturation, enhancement, and sustainment of designated state and urban area fusion centers, including information sharing and analysis, threat recognition, terrorist interdiction, and intelligence analyst training and salaries. Fusion center overtime is allowable (must have prior approval from FEMA).
- Paying salaries and benefits for personnel, including individuals employed by the grant recipient on the date of the relevant grant application, to serve as qualified intelligence analysts.

For more detailed information on operational overtime, please see [Information Bulletin 497](#), which provides additional clarity on the Operational Overtime requirements for HSGP.

LETPA Project Examples

LETPA COMPLIANT PROJECT SUBMISSIONS

For the FY 2023 LETPA expenditures reviewed, 64% were deemed fully compliant, while 15% were compliant but did not meet all of the reporting/justification requirements outlined in Information Bulletin 485. The compliance review of projects includes an assessment based on the following criteria:

- Statutory Assessment: Identifies if the funds are referencing a statutory activity or core capability from the National Prevention or National Protection Framework.
- Reference to Relevant Documents: Refers to pertinent reference documents and provides a law enforcement terrorism prevention nexus explanation.
- Fund Utilization: Clearly identifies what the funds will support and how they will be used.
- Reporting Requirements: Meets all reporting and justification requirements as specified in Information Bulletin 485.

This criterion ensures a comprehensive evaluation of compliance and alignment with LETPA objectives. The following are examples of fully compliant LETPA submissions:

1. ***Funding to support training a police department's Threat Liaison Officer (TLO) program.*** Training funds will be utilized to attend the Association of Threat Assessment Professionals (ATAP) Training Conference, the National Homeland Security Conference, and the Diplomatic Security Services Dignitary Protection Course. The requested training will provide an overview of current terrorism tactics and trends and best practices for prevention, response, recovery, technology use, investigations, target hardening, and intelligence. Additionally, this funding would allow for consistency and continuity with onboarding new TLOs. Such onboarding includes attending Dignitary Protection training to prepare for the increased demand for dignitary protection details during the 2024 election year. This activity meets HSGPs LETPA requirement because it addresses the core capability of

"Intelligence and Information Sharing" within the National Prevention Framework, and the training has a nexus to law enforcement terrorism prevention articulated in Information Bulletin 485 and the Fiscal Year 2007 Law Enforcement Terrorism Prevention Program Guidance. This project will allow the TLOs to maintain operational effectiveness for the [fusion center] and [THE ENTITY] UASI region.

Rationale: The explanation outlines exactly what the requested training funds will be utilized for, what it is supporting, and makes a connection to the relevant reference documents.

2. ***Funding to outfit the members of the Rapid Containment Team with magnifying optics to increase skills proficiency and the ability to better identify suspects and gain a tactical advantage in potentially dangerous encounters at soft targets and crowded places.*** This activity meets the LETPA requirement because Terrorism Incident Prevention Equipment is on the list of allowable equipment included in Information Bulletin 485 and the Fiscal Year 2007 Law Enforcement Terrorism Prevention Program Guidance. The magnified optics equipment being purchased has a law enforcement terrorism prevention nexus, as it will be used by law enforcement officers for anti-terrorism activities including coordination and tactical advantage during critical incidents.

Rationale: This project meets the LETPA requirement, as it describes what the activity entails ("magnifying optics"), states how it has a law enforcement terrorism prevention nexus ("used by law enforcement officers for anti-terrorism activities including coordination and tactical advantage during critical incidents") and connects it back to the appropriate reference documents ("Information Bulletin 485 and the Fiscal Year 2007 Law Enforcement Terrorism Prevention Program Guidance").

LETPA NON-COMPLIANT PROJECT SUBMISSIONS

For the FY 2024 LETPA expenditures reviewed, 4% were deemed noncompliant. The most common reasons for justifications receiving a noncompliant designation:

- Including medical supplies, which is not a LETPA allowable expense. Unallowable examples include AED's, trauma kits, and mass casualty medical bags.
- Listing consumable supplies such as standard office supplies.
- Including election security costs which do not inherently have a law enforcement terrorism prevention nexus.
- Listing equipment that does not have a law enforcement terrorism prevention nexus. Examples include firefighting equipment and tools for vehicles.
- Including mass search and rescue equipment or personnel costs.

Examples of noncompliant submissions include:

1. ***Funding for a multi-agency regional center for regional, state, and federal emergency operations, preparedness, response, and recovery operations as needed in all phases of emergency management.*** The technology utilized to effectively coordinate emergency operations is in need of an upgrade in order to be compatible with all agencies in preparation and response to all-hazards and homeland security incidents. The grant would only be used for video display to be added to the EOC. Interoperability is dependent on the Emergency Operations Center having current technology capable of providing the best and most efficient tools necessary for e[incomplete entry].

Rationale: Investments must have a nexus to terrorism prevention, justifications relying on “all-hazards” is not specific enough. Response mission area and emergency management submissions must include a law enforcement terrorism prevention.

2. ***Portable radios to help with traffic stops, school checks, and resident calls.*** This allows for portability during calls and faster communications to dispatch and other officers on scenes. Body armor is needed to protect from any active shooter during a hostile situation that may occur during a traffic stop, disturbance, school shooting, etc.

Rationale: All LETPA project expenses must be from an allowable expense category and also meet the key requirement of terrorism prevention. General policing costs, including personal protective equipment (“body armor”) and communications equipment (“portable radios”), require a law enforcement terrorism prevention nexus to be counted towards meeting the LETPA requirement. While activities may serve a dual use by simultaneously supporting preparedness for hazards unrelated to terrorism, they must still align with national priorities and have a clearly defined connection to terrorism preparedness.

3. ***Cybersecurity assessments for elections.*** The first project is a cybersecurity assessment of local election security systems to identify gaps within the elections systems. This project will provide a list of gaps that need to be addressed and provide an opportunity to build capability and close gaps based on what the assessments find. Elections access control. The second project is to update key card access within the county’s elections office. This will strengthen the security off the space by removing it from the general Broomfield access network and put it on one unique to elections.

Rationale: To be eligible as a LETPA project, cybersecurity expenses must have a connection to law enforcement and terrorism prevention. General cybersecurity, including election security investments, are not presumed to have that connection.

LETPA INSUFFICIENT PROJECT SUBMISSIONS

Of the projects reviewed, a determination on compliance could not be made for 17% of the projects because insufficient information was provided in the project descriptions. Several common gaps were identified in the grant justifications that caused them to be determined to have insufficient information. If these are avoided in future grant reporting, this would greatly reduce the number of noncompliant and insufficient entries.

Primary issues identified during the review were as follows:

- Submitting a LETPA justification that did not include a relevant reference to the statutory list, frameworks, or other guidance documents (e.g., LETPA Statutory Text (Section 2006(a) of the Homeland Security Act of 2002, as amended), National Protection Framework, National Prevention Framework, Information Bulletin 485, FY 2007 HSGP Program Guidance).
- Failing to connect a non-statutory project to its law enforcement terrorism prevention nexus.
- Using a single justification paragraph for multiple line items.
- Providing a general law enforcement terrorism prevention nexus that is not specific to the project listed in the justification.
- Including too broad of a justification for approval, without sufficient detail it receives categorization as insufficient.

Examples of insufficient submissions:

1. This investment covers a broad range of regional projects that relate to multi-jurisdictional all hazards incident planning, response, and recovery capabilities through activities in organization, planning, training, exercise and equipment purchases such as personal protective equipment, camera system, bomb robots, and vehicles.

Rationale: This explanation attempts to cover too broad a scope without going into detail about what's included in the separate organization, planning, training, exercise, and equipment details. Additionally, it does not refer to any of the relevant reference documents or provide a law enforcement terrorism prevention nexus explanation.

2. The [PROJECT EXPENSE] has a law enforcement terrorism prevention nexus as it will be used by law enforcement officers for anti-terrorism activities.

Rationale: A generic claim of anti-terrorism activities does not provide sufficient detail for a compliant determination. Additional detail is needed about the activity and why there is a LETPA nexus as well as what those "anti-terrorism activities" are.

For Further Information

In addition to this guide and the references cited below, HSGP recipients – on behalf of themselves or their subrecipients - can contact their assigned FEMA Preparedness Officer with any questions on LETPA-eligible projects. FEMA and its subject matter expert partners at OSLLE can provide technical assistance to ensure applicants are successful in meeting the LETPA minimum funding requirement. Other questions can be directed to FEMA Grants News at (800) 368-6498 or by e-mail at FEMA-Grants-News@fema.dhs.gov, Monday through Friday, 9 a.m. – 5 p.m. Eastern Time.

Reference Links

Useful reference links in designing investments for LETPA projects:

1. [FY 2024 Homeland Security Grant Program Notice of Funding Opportunity.](#)
Provides detailed guidance and instructions on how to apply for HSGP and guidance on the LETPA requirement.
2. [FEMA Preparedness Grants Manual – 2024.](#)
Provides detailed guidance on allowable activities under the HSGP, including LETPA.
3. [FEMA Information Bulletin No. 485, Fiscal Year 2023 Law Enforcement Terrorism Prevention Activity Supplemental Guidance to the Homeland Security Grant Program Notice of Funding Opportunity, April 21, 2023.](#)
Provides applicants and recipients further direction on how to account for LETPA activities, best practices for submitting investment justifications for LETPA, as well as information on how to distinguish LETPA from other activities.
4. [FEMA Information Bulletin No. 473, Supplemental Guidance for Law Enforcement Terrorism Prevention Activity Expenditures, April 29, 2022.](#)
Provides additional guidance and priorities regarding the HSGP's LETPA requirement.
5. [National Prevention Framework.](#)
Activities outlined in the National Prevention Framework are eligible for use as LETPA-focused funds. Also, where capabilities are shared with the protection mission area, the [National Protection Framework](#) activities are also eligible.
6. [FY 2007 Homeland Security Grant Program: Program Guidance and Application Kit.](#)
Provides historical context for the LETPA requirements.