



U. S. Department of Homeland Security

*Office for Domestic Preparedness*

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**ODP Information Bulletin  
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TO: All State Administrative Agency Heads  
All State Administrative Agency Points of Contact  
All State Homeland Security Directors

FROM: C. Suzanne Mencer  
Director

SUBJECT: Review of Memorandums of Understanding by Department of Homeland Security  
Office of General Counsel (DHS OGC)

The grant guidance for ODP's FY 04 Homeland Security Grant Program states that a Memorandum of Understanding (MOU) is required when States retain any portion of the 80% pass-through funds on behalf of local jurisdictions. Retention of funds must be at the written request of local units of government, and MOUs must be effective within 60 days of the grant award date.

In coordination with DHS OGC, ODP has assisted several SAAs with developing and reviewing MOUs for the purpose of retaining funds on behalf of local units of government. Absent recommendations from DHS OGC addressing particular issues, those MOUs may not have otherwise met the requirements of the FY 04 Congressional appropriation language and grant program guidelines. Therefore, ODP strongly recommends that all MOUs created for the purpose of retaining portions of the 80% pass-through funding at the state level be reviewed by DHS OGC. Grantees requesting a review of an MOU should submit the MOU through their Preparedness Officer. The Preparedness Officer will review the MOU with DHS OGC within two working days. The Preparedness Officer will notify the SAA immediately if the MOU is approved. If alterations are required, suggested revisions will be provided to the SAA by the Preparedness Officer and DHS OGC via e-mail and/or telephone, with subsequent assistance and review provided as needed.

For further information, please contact your ODP Preparedness Officer 1-800-368-6498.