

GAVIN NEWSOM
GOVERNOR



CAROLINE THOMAS JACOBS
DIRECTOR

June 15, 2026

TO: Potential Subrecipients

Subject: Hazardous Materials Emergency Preparedness (HMEP) Subgrant Funding Opportunity

Dear Potential Subrecipient:

The California Governor's Office of Emergency Services is pleased to announce the availability of the FY 26-27 Hazardous Materials Emergency Preparedness (HMEP) Subgrant funding. On our [website](#), you will find the HMEP Funding Announcement and Subgrant Guide, which provide detailed information regarding eligible applicants, funding priorities, application requirements, timelines, and program expectations.

The HMEP program, funded through the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA), supports the enhancement of hazardous materials emergency preparedness through planning, training, and related activities. These funds are intended to strengthen local and tribal capabilities to safely and effectively respond to hazardous materials incidents.

Applicants are encouraged to carefully review the Funding Announcement and Subgrant Guide prior to submitting an application. The guide outlines eligibility requirements, allowable costs, application procedures, reporting obligations, and other program requirements.

As part of the FY 26-27 application process, all applicants will be required to review and acknowledge the Grant Assurances. These assurances represent the applicant's commitment to comply with all applicable federal and state laws, regulations, and grant conditions associated with the HMEP program.

For this funding cycle, applicants should pay particular attention to the following requirements from Federal Notice of Funding Opportunity, Section H, Number 1 Administrative and National Policy Requirements below:



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- Pursuant to Section 3(b)(iv)(A) of Executive Order 14173, Ending Illegal Discrimination And Restoring Merit-Based Opportunity, the Recipient agrees that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code.
- Pursuant to Section 3(b)(iv)(B) of Executive Order 14173, Ending Illegal Discrimination And Restoring Merit-Based Opportunity, by entering into this agreement, the Recipient certifies that it does not operate any programs promoting diversity, equity, and inclusion (DEI) initiatives that violate any applicable Federal anti-discrimination laws.
- Compliance with Federal Law and Policies - The applicant assures and certifies, with respect to any application and awarded Project under this NOFO, that it will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds and will cooperate with Federal officials in the enforcement of Federal law, including cooperating with and not impeding U.S. Immigration and Customs Enforcement (ICE) and other Federal offices and components of the Department of Homeland Security in and the enforcement of Federal immigration law.

In the special terms and conditions of the HMEP award, the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (US DOT/PHMSA) noted that the immigration conditions will not be enforced.

As for the "DEI" provisions, when accepting the award, Cal OES set forth it's understanding that these provisions refer to the federal statutes and regulations setting forth substantive anti-discrimination requirements for grant recipients, the enforcement mechanisms available to the federal government, and the procedures the government must follow before taking remedial measures. See, e.g., 42 U.S.C. § 2000d-1; 44 C.F.R. § 7.12; 20 U.S.C. § 1682; 44 C.F.R. § 19.605; 42 U.S.C. § 6104; 44 C.F.R. § 7.945. Cal OES agreed to these terms based on that understanding.



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Additionally, Cal OES noted that there are several court orders enjoining various Executive Orders, their applicability, and their enforcement. In our application and acceptance to be the Pass-Through Entity for HMEP funds, Cal OES expressly did not waive or relinquish any legal rights or defenses available to it in the event of any adverse action, including, but not limited to, an action brought under 31 U.S.C. § 3729, nor did it waive any arguments concerning the imposition of legally invalid, vague, or unclear conditions.

Applicants will be required to certify their acceptance of these assurances as a condition of award. Applicants are encouraged to consult with their legal counsel.

We encourage all eligible organizations to consider applying for this funding opportunity. Should you have any question regarding the application process or program requirements, please contact Erika Olsen at (916) 531-3734 or erika.olsen@caloes.ca.gov.

Thank you for your continued commitment to hazardous materials emergency preparedness.

Sincerely,

DocuSigned by:
Larry Collins
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LARRY COLLINS
DEPUTY CHIEF, SPECIAL OPERATIONS & HAZMAT, FIRE & RESCUE



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