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It's a stimulating time for grants

By Gary Cooper

The article I wrote just before the national elections, titled "Half Full or Half Empty?" concluded with a series of questions and answers as follows:

Q: Will there be Department of Homeland Security (DHS) justice and public safety grants in FY 2009?
A: Yes.

Q: Will there be Department of Justice (DOJ) criminal justice grants

in FY 2009? A: Yes, but they will be late.

Q: Will these grants fund information, identification and communications projects? A: Yes, the federal government needs complete and accurate information from state and local justice agencies.

Q: Will there be grants beyond FY 2009? A: Yes, but some programs will change, and there may be reductions in funding.

I then answered the question

posed by the title and concluded that the glass seemed half full. Well, at this point and for the immediate future, the glass appears to be considerably more than half full. The DHS and DOJ justice and public safety grant programs' picture for FY 2009 is becoming clearer and richer. The Stimulus Bill (H.R.1) has added surprising justice and public safety grant monies to existing national programs while the Omnibus FY 2009 Appropriations

Table 1

Selected DHS Grant Programs Appropriations

PROGRAM*	07 APPROP	08 APPROP	09 APPROP	TOTALS
SHSGP**	\$525M	\$950M (\$237.5M)	\$950M (\$237.5M)	\$2.4B (\$475M)
UASI**	\$770M	\$820M (\$205M)	\$820M (\$205M)	\$2.4B (\$410M)
LETPP**	\$210M	No Direct Approps (\$442.5M)	No Direct Approps (\$442.5M)	\$210M (\$885M)
INTEROP COMM	\$1B	\$50M	\$50M	\$1.1B
REAL I.D.	\$-0-	\$50M	\$50M	\$100M
PORT SEC	\$375M	\$400M	\$400M	\$1.2B
TRANS SEC	\$175M	\$400M	\$400M	\$975M
FIRE GRANTS	\$662M	\$750M	\$775M	\$2.2B
TOTALS	\$3.7B	\$3.4B	\$3.4B	\$10.6B***

*The full titles of the grant programs listed in this table are: State Homeland Security Grant Program (SHSGP), Urban Area Security Initiative (UASI), Law Enforcement Terrorism Prevention Grant Program (LETPP), Interoperable Emergency Communications Grant Program (Interop. Com.), REAL ID Drivers' License Standards Grants (REAL ID), Port Security Grants (Port Sec.), Public Transportation Security Assistance and Railroad Security Assistance (Transit Sec.), and the Firefighter Assistance Grants (Fire Grants).

** Beginning in FY 2008, LETPP no longer received an appropriation as a separate program. However, the Congress directed that 25% of SHSGP and UASI monies be set aside for LETPP purposes. The figures in parentheses represent 25% of program monies for FY 2008 and 2009.

*** The vertical and horizontal totals disagree because of rounding.

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Table 2

Selected DOJ Grant Programs

Omnibus Appropriations Act of FY 2009

PROGRAM*	08 APPROP	09 APPROP
BYRNE JAG	\$170M	\$546M
BYRNE DISC	\$188M	\$178M
BYRNE COMP	\$19M	\$30M
COPS TECH	\$140M	\$187M
NCHIP	\$10M	\$10M
TOTALS	\$527M	\$951M

*The full titles of the grant programs listed in this table are: Byrne Memorial Justice Assistance Grant Program (Byrne JAG), Byrne Discretionary Grant Program (Byrne Disc), Byrne Competitive Grant Program (Byrne Comp), COPS Law Enforcement Technology and Interoperability Grant Program (COPS Tech) and the National Criminal History Improvement Grant Program (NCHIP).

Bill continues expected funding for those same programs. Because the appropriations are six months late and the stimulus package was a recent surprise, both money bills taken together give the appearance that the justice system is awash in grant funding.

Awash may be too strong of a word, but DOJ and DHS grant funding in FY 2008 had an aggregated total of about \$6 billion, whereas it appears that FY 2009 funding will approach \$10 billion. The grant programs that this column tracks are those programs that can be used, among other things, to procure information, identification and communications technologies, as well as related consulting. Those programs represent a subset of the total array of DOJ and DHS grant programs but will still total around \$7.5 billion in FY 2009.

DHS received its appropriations on time and is moving forward with the application and award process as it normally would. Some solicitations have closed while the large State Homeland Security

Grant Program and the Urban Area Security Initiative Grant Program plans to qualify for state allocations were to be submitted to DHS by March 20. In the past, these monies would not hit the street before mid to late summer. Now, there will probably be efforts to shorten the time between plan submission and

allocations and awards. As a result, there will be a tension between the political pressure to get monies out quickly (in support of the stimulus philosophy) and an existing review process that is deliberate and established. But any problems that arise with the FY 2009 DHS granting process will pale compared to the process problems that will surface trying to move the monies from the Stimulus Package and the Omnibus Appropriations Bill.

No doubt the bill did pass, but the political expectations to get the grant money out of the door will be significant, especially given the intent to stimulate the environment through spending and given that half of the fiscal year is gone already.

At the Holder Justice Department, Laurie Robinson has been brought back on a temporary basis to act as assistant attorney general for the Office of Justice Programs (OJP). OJP administers all of the non-COPS grants, and Robinson, who served in the Reno Justice Department in that same

Table 3

Selected DOJ Grant Programs

Stimulus Bill FY 2009 Funding

PROGRAM*	AMOUNT
BYRNE JAG	\$2B
BYRNE COMP	\$225M
RURAL L/E	\$125M
ICAC	\$50M
INDIAN COUNTRY	\$225M
TOTAL	\$2.6B

*The full titles of the grant programs listed in this table are: Byrne Memorial Justice Assistance Grant Program (Byrne JAG), Byrne Discretionary Grant Program (Byrne Disc), Byrne Competitive Grant Program (Byrne Comp), Rural Law Enforcement Grant Program (Rural L/E), Internet Crimes Against Children (ICAC) and the Indian Country Grant Program (Indian Country).

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Table 4

Selected Grant Programs

Stimulus Bill FY 2009 Funding

PROGRAM*	AMOUNT
TRANSIT SEC	\$150M
PORT SEC	\$160M
FIRE GRANTS	\$210M
TOTAL	\$520M

*The full titles of the grant programs listed in this table are identified in Table 1.

capacity for several years, knows the business of administering grant programs. Still, trying to move considerably more money in half of the normally allotted timeframe is going to test the patience of people.

The DHS appropriations for the eight grant programs listed in Table 1 was basically flat for each of fiscal years 2008 and 2009, totaling \$3.4B each year. On the other hand, the five DOJ grant programs funded in the FY 2009 Omnibus Appropriations Bill and listed in Table 2 show significant growth, or maybe recovery is the right word. In FY 2008, the Byrne Justice Assistance Grant Program (JAG) was slashed by 66% and limited to an appropriations of \$170M. While an energetic lobbying campaign led by the National Criminal Justice Association, the International Association of Chiefs of Police and the National Conference of State Legislatures, among others, was unsuccessful in preventing the hit, it now appears all of the hard work that was undertaken for FY 2008 has paid off in FY 2009 with JAG rebounding by a 221% increase and totaling \$546M. In addition, the COPS Law Enforcement Technology and Interoperability Grant Program (COPS Tech) has

grown by \$47M, although the program is completely earmarked by the Congress. In total, the five programs grew from \$527M in FY 2008 to \$951M in FY 2009.

But wait, there's more. The stimulus bill went a long way in restoring monies lost during the efforts of the Bush administration to cut state and local justice assistance grants

grant programs. The table lists two infrastructure grant program supplements and an increase of \$210M for the Firefighters Assistance Grant Program (Fire Grants).

When all is said and done, Table 5 shows that FY 2009 has restored parity between the DOJ and DHS grant funding levels with DOJ funding growing from \$527M in FY 2008 to \$3.6B in FY 2009 and DHS increasing from \$3.4B in FY 2008 to \$3.9B in FY 2009. Not only has parity been restored, overall growth has been significant. DOJ and DHS total grant funding for the tracked programs grew from \$3.9B in FY 2008 to \$7.5B in FY 2009. That is an increase of 92% in one year. The glass appears to be almost full. The question now is, "Will things spill over?"

As stated earlier, the political pressure to move the grant monies quickly will be considerable. How and if the grant processing rules will change remains to be seen, but

Table 5

Department Totals for Selected FY 2009 Grant Programs

	FY 2008 APPROP	FY 2009 APPROP	FY 2009 STIMULUS	FY 2009 TOTAL
DOJ	\$527M	\$951M	\$2.6B	\$3.6B
DHS	\$3.4B	\$3.4B	\$520M	\$3.9B
TOTAL	\$3.9B	\$4.4B	\$3.1B	\$7.5B

(DOJ grants) in favor of building up public safety anti-terrorism grants (DHS grants). Table 3 lists five DOJ grant programs that are funded at a \$2.6B level. The JAG program accounts for \$2B of the \$2.6B. Table 4 shows that the DHS grant programs did not do nearly as well in the stimulus bill as did the DOJ

the time table usually followed will certainly change. Justice and public safety agencies at the state and local levels would be well served to start preparing their grant applications immediately. The chances of obtaining a grant in FY 2009 are probably greater than they were in FY 2008

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and will be in FY 2010. And, because the monies in the stimulus bill have a shorter half-life (grant monies must be spent by the end of calendar year 2010) than do grant monies resulting from the normal appropriations process, the uses of the monies might differ from the past somewhat. Ironically, stimulus monies might go more for the procurement of things (such as technology or consulting contracts) instead of the hiring of personnel. Justice and public safety agencies are going to be hesitant to hire personnel knowing that the monies have to be spent by end of December 2010 and not knowing if there will be follow-on monies.

President Obama has said that as soon as the economy begins recovering, his administration will be aggressive in reviewing the effectiveness and efficiency of a variety of government programs. It is fair to assume that some of the programs to be reviewed will be grant programs. Therefore, the grant funding picture for FY 2010 and FY 2011 is fuzzy. The administration has released an overview report outlining general initiatives to reduce federal spending and eliminate bad practices and programs over the next 10 years. Nothing yet is clear about justice and public safety grant programs, but it appears that some areas of priority might be programs that support the successful re-entry of juvenile and adult offenders into the general population after they have served their sentences, putting 50,000 cops on the street and increasing the intelligence analytical ability of state and local law enforcement. No specifics about FY 2010 DOJ and DHS grant programs are expected from the president until he sends his budget request to the Congress in April.

In the meantime, the DOJ has solicitations out for more than 20

different FY 2009 grant programs, including that part of JAG funded through the stimulus bill. And, as mentioned before, DHS solicitations have been out for some time. Justice and public safety agencies should move quickly to take advantage of a situation where the funding agencies want to move quickly. Clearly, justice officials should not expect that the funding agencies would fund just anything that is submitted. Applications will still need to demonstrate a problem or need confronting an agency, risks and vulnerabilities facing a community, and defend how the grant monies are going to mitigate against those problems and risks. Applications should show regional or multi-jurisdictional coordination and impact to the extent possible. And, the application should show how it not only addresses the local problem but also addresses state and federal priorities. In short, the quality of the application should be consistent with applications of the past. The recommendation is to move quickly. The opportunity is now. ■

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