



**FEMA**

## **Grant Programs Directorate Information Bulletin**

**No. 321**

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**TO:** All State Administrative Agency Heads  
All State Administrative Agency Points of Contact  
All Urban Areas Security Initiative Points of Contact  
All State Homeland Security Directors  
All State Emergency Management Agency Directors  
All Tribal Nation Points of Contact

**FROM:** W. Ross Ashley, III  
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**SUBJECT:** Fiscal Year (FY) 2009 Operation Stonegarden (OPSG) Guidance Clarification

On June 4, 2009, the Department of Homeland Security (DHS) announced \$60 million in grant awards for the FY09 Operation Stonegarden (OPSG) program. Since the inception of the OPSG program, DHS has provided risk based funding opportunities totaling \$135 million to support State, local and Tribal law enforcement agencies along the Southwest and Northern borders of the United States to increase overall border operational readiness.

OPSG remains focused and committed to supporting State, local and Tribal law enforcement agencies in their goals to build capability to prevent, protect against, and respond to all threats dealing with border security issues by encouraging local operational objectives which serve as a “force multiplier” to enhance National and State Border Security Strategies.

This bulletin clarifies how the modifications to grant guidance as originally stated in Information Bulletin #310 (released on March 24, 2009) apply to the FY 2009 OPSG Program. Clarification is also provided regarding personnel costs and the impact of the *Personnel Reimbursement for Intelligence Cooperation and Enhancement (PRICE) of Homeland Security Act* (P. L. 110-412) for the OPSG program.

The following grant guidance modifications, originally announced for FY 2006 and FY 2008 funds, will also apply to the FY 2009 OPSG program:

- OPSG funds may be used to activate reserve State, local and Tribal law enforcement personnel
- OPSG funds may be used to pay current part time law enforcement personnel salary bringing them to full time status
- OPSG funds may be used for travel, per-diem and lodging to support up to a six (6) month deployment of law enforcement personnel to critical Southwest Border locations to support operational activities

- Fuel and/or fuel mileage reimbursement cap for operational activities is removed
- Backfill costs for personnel supporting operational activities are allowable
- County level grantees are encouraged to utilize OPSG funding to support a request to the Governor to activate, deploy or redeploy specialized National Guard Units/Packages and/or elements of State law enforcement to increase or augment specialized/technical law enforcement elements operational activities
- Use of OPSG funds to increase operational, material and technological readiness of State, local and Tribal law enforcement agencies continues to be allowable.

In general, OPSG grant funds may not be used to pay the straight time personnel costs of State, local or Tribal jurisdictions regular employees, including law enforcement officers, as this would supplant regularly appropriated funds. However, for local jurisdictions that are hiring additional temporary law enforcement officers (additional capability), straight time personnel costs are allowable.

The PRICE of Homeland Security Act (P. L. 110-412) established that no more than 50 percent of the amount of the award to a grant recipient may be used for personnel costs (which includes, but is not limited to: overtime, backfill, and increasing capability by utilizing part-time and/or reserve law enforcement to support OPSG operational activities). However, at the request of a grant recipient, the FEMA Administrator may waive the 50 percent personnel cap limit. Waiver decisions are at the discretion of the FEMA Administrator and will be considered on a case-by-case basis.

A formal FY 2009 OPSG personnel waiver request should:

- Be requested on official letterhead, include a written justification, and be signed by the authorized representative of the State Administrative Agency (SAA)
- Include a budget and method of calculation of personnel costs both in percentage of the grant award and in total dollar amount
- Include an approved operations order from the Customs and Border Protection/Office of Border Patrol (CBP/BP) Sector office which supports the SAA's written justification
- Be forwarded electronically by the SAA to FEMA's Grant Programs Directorate (GPD) Program Analyst

Questions related to this Information Bulletin may be directed to your FEMA Program Analyst or the Centralized Scheduling and Information Desk at [askcsid@dhs.gov](mailto:askcsid@dhs.gov) or 1-800-368-6498.