

COBURN AMENDMENT 345

Would streamline the interoperable communications grant programs administered by the Department of Homeland Security to ensure accountability and fiscal discipline.

The Problem

In February 2006, the Deficit Reduction Act of 2005 (P.L. 109-171, sec. 3006) created the Public Safety Interoperable Communications (PSIC) Grant Program, with \$1 billion authorized for the program. Its purpose is to provide funding to public safety agencies for interoperable communications equipment and training.

S. 4 – being considered on the floor now – proposes to create **yet another** interoperability grant program: the Emergency Communications and Interoperability Grant Program, *also* administered by DHS.

The purpose of the interoperability grant program at DHS is to make grants to States for purchasing interoperability equipment and training personnel, just as is required by the PSIC Grant Program. This program authorizes \$3.3 billion to be awarded in the first five years of the program, and indefinite amounts each year after.

If S. 4 passes in its current form, **there will be two nearly identical interoperability grant programs**. One housed at Commerce, but administered by DHS. The other housed and administered by DHS. There is **no substantive or significant difference** between the Public Safety Interoperable Communications (PSIC) Grant Program and the Emergency Communications and Interoperability Grant Program. The differences between these two programs are so small as to be completely negligible.

What the amendment does

Coburn 345 would streamline the interoperable communications grant programs administered at DHS by combining the two programs into one. The amendment would not lower total funding for interoperability grants – it would remain at \$4.3 billion, only there would be one program instead of two. The amendment would also require DHS to study ways to involve the private sector in interoperable communications.

Why support this amendment

Reason #1: There is no national security reason why we need TWO interoperable communications grant programs for States.

- The 9/11 Commission did not recommend the creation of two duplicative interoperability programs.
- In fact, having two programs does exactly the OPPOSITE of securing the nation. GAO stated the following in 2003 in a report on interoperability programs: “[T]he fragmented delivery of federal assistance can complicate coordination and integration of services and planning at state and local levels.”¹

¹ <http://www.gao.gov/new.items/d04231t.pdf> pg. 15, 2003

Reason #2: The Administration STRONGLY OPPOSES having two duplicative interoperability grant programs.

- On March 1, the Administration released a statement of administration policy (SAP) regarding S. 4, which contained the following paragraph on interoperability:

The Administration opposes the proposed amendment that would further modify the implementation of a new grant program established by the Deficit Reduction Act of 2005 and amended by the Call Home Act of 2006. Together with the time limitations imposed by Congress to allocate \$1 billion in grant funds for communications interoperability by September 30, 2007, these modifications undermine the Administration's ability to implement the most effective program. The Administration recommends instead that the Departments of Commerce and Homeland Security be provided the flexibility that is needed to allocate funds based on technical merit and benefit in promoting effective public safety communications interoperability. **The Administration also opposes the duplication within the Department of Commerce of existing DHS communications interoperability initiatives.**

Reason #3: The Department of Commerce has essentially "contracted out" all of its administrative control over the PSIC Grant Program to the Department of Homeland Security because of its lack of expertise – but kept a cut of the proceeds for itself.

- A Memorandum of Understanding was signed by both agencies on February 16, 2007, to give DHS near complete administrative control over the program, including deciding who gets the awards and the amounts of each grant. All that Commerce will do is concur with DHS and jointly announce the awards.
- This arrangement is highly inefficient because not only is there unneeded bureaucracy, **but Commerce is keeping a \$12 million cut of the proceeds for itself in the process.**

Reason #4: The only reason that these two programs are not being rolled into one is because Congress cannot overcome its own internal turf battles between committees.

Reason #5: The Department of Homeland Security is the lead federal agency for interoperable emergency communications.

- If there is going to be any interoperable communications grant program at all then its rightful place is at DHS – not spread between DHS and Commerce.
- SAFECOM is the Administration's program that coordinates the efforts of federal, state and local governments for interoperable emergency communications. This program resides within DHS and so should all such interoperable emergency communications programs.