



Date: July 24, 2020

To: Legislative Advisory Commission Members

Senator Paul Gazelka
Senate Majority Leader

Representative Melissa Hortman
Speaker of the House

Senator Julie Rosen, Chair
Senate Finance Committee

Representative Lyndon Carlson, Sr., Chair
Ways and Means Committee

Senator Warren Limmer, Chair
Judiciary and Public Safety Finance and Policy
Committee

Representative Carlos Mariani, Chair
Public Safety and Criminal Justice Reform Finance
and Policy Division

From: Myron Frans, Secretary Legislative Advisory Commission

RE: Urgent Review of Federal Funds

Under the provisions of Minnesota Statute 3.3005, subdivision 4 and 5, the Department of Public Safety is submitting to the Legislative Advisory Commission (LAC) a federal grant award for a 10-day review. The Office of Justice Programs (OJP) has received this funding to defray the overtime costs of the Minnesota State Patrol (MSP) for their assignment in Minneapolis and St. Paul during the civil unrest in May and June of 2020.

I have attached to this email for summary purposes a description of the request and the federal funds review request form for the grant award.

Federal Grant Award	FY 2020
Emergency Federal Law Enforcement Assistance Program (EFLEA)	\$1,000,000

The LAC review form provides information about the amount of the federal award, the timeline for spending, the proposed uses of the funds and the requirements associated with accepting the funding.

The six LAC members have until Monday, August 3 to provide a recommendation. To expedite the LAC review process, LAC members may respond to this review request directly, recommending their approval or request for further review, instead of waiting the 10-day period.

cc: Bill Marx, House Chief Fiscal Analyst
Eric Nauman, Senate Lead Fiscal Analyst

Federal Funds for Legislative Advisory Commission (LAC) Review July 24, 2020

Public Safety

Emergency Federal Law Enforcement Assistance (EFLEA)

Amount: FY 2020 - \$1,000,000

Urgency: The agency has received the funding and is waiting for approval to distribute.

Flexibility: The funds may be used to defray the staff costs incurred by the Minnesota State Patrol while responding to the civil unrest in May and June of 2020.

Summary: The EFLEA program at the Department of Justice provides funding to state and local jurisdictions to mitigate the effects of a law enforcement emergency. This funding is available by federal invitation only via a non-competitive RFP process. The Office of Justice Programs (OJP) has received this award and will subgrant the funds to the Minnesota State Patrol to offset staff costs incurred during the civil unrest in May and June of 2020. None of this funding will be used for administrative costs at OJP.

Part One – Basic Federal Award Information

Review Request Type: Fall 20-Day Review 20-Day Session Review Urgent 10-Day Review

State Agency: Department of Public Safety

State Legal Authority: M.S. 4.07

Federal Agency: US Department of Justice

CFDA#: 16.824

Federal Award Title:

Emergency Federal Law Enforcement Assistance Program (EFLEA)

Federal Legislation Authorizing the Grant:

34 U.S.C., Subtitle V, Ch. 501: Emergency Federal Law Enforcement Assistance

Application Status: Pre-Application Application Negotiation Award

Start Date: 05/01/2020 **End Date:** 10/31/2021 **Total Federal Award Amount:** \$ 1,000,000

Part Two – Award Type Information

New Award

Amount requiring approval in the current biennium:
\$1

State FY: 2020 **Amt:** \$ 1,000,000

State FY: _____ **Amt:** \$ _____

Anticipated federal grant expenditures in the
planning years (next biennium)

State FY: _____ **Amt:** \$ _____

State FY: _____ **Amt:** \$ _____

Increase in Award Amount (includes continuation and increase in award amount)

Date the current biennium amount was originally approved?

Incremental amount requiring approval in the current biennium

State FY: _____ **Amt:** \$ _____

State FY: _____ **Amt:** \$ _____

Anticipated federal grant expenditures in the
planning years (next biennium):

State FY: _____ **Amt:** \$ _____

State FY: _____ **Amt:** \$ _____

Amount originally approved + Incremental amount requested = New total current
for the current biennium biennium amount
\$0

Change in Fiscal Years Spending Authority Only

Date the current biennium amount was originally approved?

Incremental amount requiring approval in the current biennium

State FY: _____ **Amt:** \$ _____

State FY: _____ **Amt:** \$ _____

Anticipated federal grant expenditures in the
planning years (next biennium):

State FY: _____ **Amt:** \$ _____

State FY: _____ **Amt:** \$ _____

Amount originally approved + Incremental amount requested = New total current
for the current biennium biennium amount
\$0

Part Three – Grant Description

Narrative Description of the Federal Award

The Emergency Federal Law Enforcement Assistance Program provides funding to state and local jurisdictions to mitigate the effects of a law enforcement emergency. Funding is available by federal invitation-only in a non-competitive request for proposal. Eligible costs include regular salary and overtime costs incurred by the law enforcement response, not to exceed \$1,000,000.

The Office of Justice Programs (OJP) has received this funding to defray the overtime costs of the Minnesota State Patrol (MSP) for their assignment in Minneapolis and St. Paul during the civil unrest from May 27, 2020 to June 7, 2020 resulting from the death of George Floyd on May 25, 2020. Initial estimates reflect nearly 100,000 hours of regular and overtime hours spent by the MSP, with millions of dollars of expenditures to cover those overtime hours. This federal funding will reimburse a portion of the overtime cost to the MSP, with OJP receiving no funding for administrative costs.

10-Day Urgent Request – Describe the nature of the urgency.

The purpose of this funding is to reimburse the Minnesota State Patrol overtime costs incurred in May and June 2020. Due to the timing of year-end closing, this funding needs to be approved and entered into SWIFT very quickly to avoid a violation and to finish all transactions prior to SFY20 year-end closing.

20-Day Review - Describe any implications if the spending authorization is delayed.

Part Four – Short and Long-Term Commitments

Provide a narrative description of the short and long-term commitments.

No short or long-term commitments are anticipated.

Maintenance of Effort (MOE)

Does the award contain a maintenance of effort requirement? Yes No

If yes, please provide the following:

FY	FUND	AppropID	FinDeptID	Amount

Narrative description of MOE including the program and budget activity from where cash originates, **length of MOE, and** consequences if MOE is not met

Match requirement:

Is a hard (cash contributions) or soft (in-kind contributions) match required? Yes No

If yes, please provide the following:

1. An estimate of the total project amount by state fiscal year for each year of the award; also indicate what amount is cash contributions (hard match) and what amount is in-kind contributions (soft match). If the award runs longer than two years, include information for each additional year.

State FY	Federal portion	Hard match	Soft match	Total project amount
				\$ 0
				\$ 0
				\$ 0
				\$ 0

2. Account information: FY _____ FUND _____ AppropID _____ FinDeptID _____
 FY _____ FUND _____ AppropID _____ FinDeptID _____
 FY _____ FUND _____ AppropID _____ FinDeptID _____

3. Description of the program and budget activity from where cash contributions will originate.

FTE

How many FTE(s) are needed to carry out this project/proposal? _____ New 0.01 Existing

Is the continuation of positions a condition of receiving the federal award? Yes No
 If yes, please describe.

Indirect Costs

Are indirect costs included in the proposal? Yes No

1. If yes, indicate the rate. If this rate is different from the agency's approved rate, explain why.
2. If no, provide justification and supporting documentation for not including it.
3. To what base is the indirect cost rate applied?
4. How much of the grant is indirect costs?

Please use the space below to respond to the questions above as they apply to your proposal.

No indirect costs are included in this proposal as OJP will receive no administrative funds as part of this federal funding. OJP will grant 100% of the funding to the MSP to defray their overtime costs.

Part-Five – Signatures

 Digitally signed by Larry Freund
Date: 2020.07.20 12:53:49 -05'00'

Agency Finance Director's Signature

Date

Cassandra O'Hern Digitally signed by Cassandra O'Hern
Date: 2020.07.20 13:33:52 -05'00'

Department Head's Signature

Date

Shawn Kremer Digitally signed by Shawn Kremer
Date: 2020.07.21 10:33:14 -05'00'

Executive Budget Officer's Signature

Date