

BRENNAN
CENTER
FOR JUSTICE

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December 23, 2014

Via E-Mail and Certified Mail

Maureen Feeney
City Clerk, City of Boston
1 City Hall Square, Room 601
Boston, MA 02201-2014

Re: Massachusetts Public Records Request

Dear Ms. Feeney,

This is a request under the Massachusetts Public Records Law (“PRL”) (M. G. L. Chapter 66, §10) on behalf of the Brennan Center for Justice at NYU School of Law.

The Brennan Center seeks copies of successful Grant Agreements between the Commonwealth of Massachusetts’ Executive Office of Public Safety and Security (EOPSS) and the City of Boston under the Homeland Security Grant Program (HSGP) for Fiscal Year (FY) 2014. Massachusetts applied for, and successfully received federal funding from the Federal Emergency Management Agency (FEMA) via two HSGP sub-programs: 1) the State Homeland Security Program (SHSP) and 2) the Urban Areas Security Initiative (UASI).¹ As a sub-grantee, the City of Boston in turn has been awarded federal funding to support operations related to Homeland Security and emergency preparedness under HSGP.

¹ See U.S. DEP’T OF HOMELAND SECURITY, FUNDING OPPORTUNITY ANNOUNCEMENT (FOA) FY 2014 HOMELAND SECURITY GRANT PROGRAM (HSGP) 27-28 (2014), available at http://www.fema.gov/media-library-data/1395161200285-5b07ed0456056217175fbdee28d2b06e/FY_2014_HSGP_FOA_Final.pdf. All factual assertions in this request related to the 2014 HSGP are based on the information in this document.

Formal Request

Under Massachusetts EOPSS “Special Conditions and Reporting Requirements for Sub-Recipients,”² grant sub-recipients are required to submit a “detailed budget and plan” to EOPSS for review and approval prior to expenditure of funds at the time of application. EOPSS also requires submission of any adjustments to a sub-recipients approved budget in excess of 10%, or any substantive adjustment to a sub-recipient’s scope of work. EOPSS requires sub-grantees to maintain these supporting documents while the grant is in effect.

The Brennan Center hereby requests a copy of the successful grant agreements and supporting documents pertaining to the City of Boston’s SHSP and UASI grants for FY 2014 (Catalog of Federal Domestic Assistance No. 97.067) in relation to the specific grants listed below. In particular:

1. Massachusetts applied for federal funding through the UASI for FY 2014. FEMA approved the application and allocated \$18,000,000 to the Boston Urban Area. Of the \$18 million, the City of Boston received a sub-grant of \$14,400,000.³ The Brennan Center requests a copy of the fully-executed grant agreement, including all supporting documentation as listed above. The Brennan Center also requests any communications between EOPSS and Boston regarding modifications to the city’s FY 2014 application.
2. Massachusetts was allocated \$5,622,000 through the SHSP for FY 2014. We understand that the City of Boston applied for funding as a sub-recipient. The Brennan Center requests a copy of the fully-executed grant agreement, including all supporting documentation as listed above. The Brennan Center also requests any communications between EOPSS and Boston regarding modifications to the city’s FY 2014 application.

Response Requested Within Ten Business Days

The Brennan Center is a non-profit, non-partisan public policy and law institute at the NYU School of Law that conducts research and disseminates to the public information about issues affecting justice and democracy. Because this request involves a matter of public interest and because it is made on behalf of a nonprofit organization, we ask that you waive any copying costs pursuant to 950 C.M.R. § 32.06(5).

² Massachusetts EOPSS, Homeland Security Division, Special Conditions and Reporting Requirements for Sub-Recipients 1-3 (2013) *available at* http://www.fema.gov/media-library-data/20130726-1919-25045-9147/mass_executive_office_public_safety_security_homeland_security_division_special_conditions.pdf

³ City of Boston, City Record- Dec. 22, 2014, 329 (2014) *available at* <http://www.cityofboston.gov/purchasing/pdfs/1.pdf>

Consistent with the PRL, we ask that you provide a written response within ten days of the receipt of this request.⁴ Should a part of any document contain information that is exempt from disclosure, please segregate and provide the non-exempt portion of the document. We also request that you provide us with the documents in electronic format, where possible.

Should you have any questions, please feel free to contact me by email at [REDACTED] or by phone at (646) 292-8382.

Sincerely,

A handwritten signature in black ink, appearing to read "MKoushik", written over a light gray rectangular background.

Meghan Koushik
Research Associate, Liberty and National Security
Brennan Center for Justice at NYU Law
(646) 292-8382

⁴ M.G.L. Chpt. 66, §10 (b).