

U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance



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## BJA FY 2022 Intellectual Property Enforcement Program: Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy

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### Overview

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) seeks applications for funding the Intellectual Property Enforcement Program: Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy.

This program furthers the DOJ's mission by assisting state, local, and tribal jurisdictions in preventing and reducing intellectual property (IP) theft and related crime. This program furthers the Department's mission by supporting law enforcement in investigating and prosecuting IP crime and reducing violent crime associated with IP cases and investigations.

This solicitation incorporates the [OJP Grant Application Resource Guide](#) by reference. The OJP Grant Application Resource Guide provides guidance to applicants to prepare and submit applications to OJP for funding. **If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.**

### Solicitation Categories

This solicitation does not include Solicitation Categories.

### Eligible Applicants:

City or township governments, County governments, Native American tribal governments (Federally recognized), Native American tribal organizations (other than Federally recognized tribal governments), Public and State controlled institutions of higher education, Special district governments, State governments, Other

### Other

Eligible applicants include law enforcement agencies and prosecutors. For the purpose of this solicitation, the following definitions shall apply:

(A) "Law enforcement" shall include state, local, tribal, municipal, or campus law enforcement agencies, to include prosecutors in these jurisdictions.

(B) "Intellectual property enforcement" means matters relating to the enforcement of criminal laws protecting copyrights, patents, trademarks, other forms of intellectual property, and trade secrets, both in the United States and abroad, including in particular matters relating to combating counterfeit and infringing goods.

(C) "State" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Successful applicants under the FY 2021 Intellectual Property Enforcement Program: Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy are not eligible to apply for this funding in FY 2022. They can reapply for funding in FY 2023.

To advance Executive Order 13929 Safe Policing for Safe Communities, the Attorney General determined that all state, local, and university or college law enforcement agencies must be certified by an approved independent credentialing

body or have started the certification process to be eligible for FY 2022 DOJ discretionary grant funding. To become certified, the law enforcement agency must meet two mandatory conditions: (1) the agency's use-of-force policies adhere to all applicable federal, state, and local laws and (2) the agency's use-of-force policies prohibit chokeholds except in situations where use of deadly force is allowed by law. The certification requirement also applies to law enforcement agencies receiving DOJ discretionary grant funding through a subaward. For detailed information on this certification requirement, please visit <https://cops.usdoj.gov/SafePolicingEO> to access the Standards for Certification on Safe Policing for Safe Communities, the Implementation Fact Sheet, and the List of Designated Independent Credentialing Bodies.

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

BJA will consider applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees). For additional information on subawards, see the [OJP Grant Application Resource Guide](#).

BJA may elect to fund applications submitted under this FY 2021 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

### Contact Information

For technical assistance with submitting the Application for Federal Assistance standard form (SF)-424 and a Disclosure of Lobbying Activities form (SF-LLL) in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, [Grants.gov Customer Support](#), or [support@grants.gov](mailto:support@grants.gov). The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in DOJ's Justice Grants System (JustGrants), contact the JustGrants Service Desk at 833-872-5175 or [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov). The JustGrants Service Desk operates 5 a.m. to 9 p.m. eastern time Monday–Friday and 9 a.m. to 5 p.m. Saturday, Sunday, and federal holidays.

For assistance with any other requirements of this solicitation, contact the OJP Response Center by telephone at 800-851-3420 or TTY: 301-240-6310 (hearing impaired only), or by email at [grants@ncjrs.gov](mailto:grants@ncjrs.gov). The OJP Response Center hours of operation are 10:00 a.m. to 6:00 p.m., eastern time Monday–Friday, and 10:00 a.m. to 8:00 p.m. on the solicitation closing date.

### Submission Information

Applications will be submitted to DOJ in two steps:

**Step 1:** The applicant must submit by the Grants.gov deadline the required Application for Federal Assistance standard form (SF)-424 and a Disclosure of Lobbying Activities (SF-LLL) form when they register in Grants.gov at <https://www.grants.gov/web/grants/register.html>. To register in Grants.gov, the applicant will need to ensure that its System for Award Management (SAM) registration is current.

**Step 2:** The applicant must then submit the **full application**, including attachments, in JustGrants at [JustGrants.usdoj.gov](https://JustGrants.usdoj.gov). To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline. OJP encourages applicants to review the "How to Apply" section in the [OJP Grant Application Resource Guide](#) and the [JustGrants website](#) for more information, resources, and training.

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## **Program Description**

### **Overview**

OJP is committed to advancing work that promotes civil rights and racial equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety and protects the public from crime and evolving threats, and builds trust between law enforcement and the community. Award recipients will support law enforcement agencies that have an IP enforcement task force or plan to create one. These task forces will collaborate with relevant state, local, territorial, tribal, and federal agencies, including their local U.S. Attorney's Office (USAO), to fulfill the program's goals

### **Statutory Authority**

Any awards under this solicitation would be made under statutory authority provided by the Department of Justice Appropriations Act, 2022, Pub. L. No. 117-103.

### **Specific Information**

The BJA Intellectual Property Enforcement Program (IPEP): Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy is specifically designed to support DOJ's mission to investigate and prosecute intellectual property crimes. This will be accomplished by assisting state, local, and tribal jurisdictions to build partnerships with federal agencies and prosecutors. This program will also work to prevent and reduce intellectual property theft and related crimes through community and buyer awareness.

IPEP includes an educational component to assist uninformed buyers in determining the authenticity of seemingly legitimate websites that instead deceive consumers into purchasing counterfeit goods.

### **Goals, Objectives, Deliverables, and Timeline**

#### **Goals**

The goal of this program is to improve the coordination of IP enforcement efforts among federal, state, and local authorities, which contribute to DOJ's priority of reducing crime. This coordination will include IP task force members and federal agencies meeting to update, discuss, and collaborate on IP investigations, prosecutions, training, and public awareness activities. The information to be shared through these task forces must include information about targeting, investigation, analysis, and prosecution of matters involving IP crimes as they relate to violations of state and local criminal statutes and federal prosecutions.

#### **Objectives**

Applicants must propose to achieve improved coordination of IP enforcement efforts among federal, state, and local authorities in their jurisdictions. Specifically, they must propose to aggressively investigate and prosecute IP crimes, with a particular focus on:

1. Public health and safety.
2. Theft of trade secrets and economic espionage.
3. Large-scale commercial counterfeit and piracy.

Projects funded under this solicitation shall:

- Establish and/or enhance state, local, tribal, or territorial IP enforcement task forces.
- Engage federal agencies as part of the task force or information-sharing practice including, where appropriate, local offices of the Federal Bureau of Investigation (FBI), U.S. Immigration and Customs Enforcement's Homeland Security Investigation (ICE HSI), the U.S. Postal Inspection Service (USPIS), and the USAO.
- Show possible IP links to organized crime, criminal gangs, and/or drug trafficking.
- Focus on IP thefts in the areas of trade secrets, health, and safety and on commercial online piracy and counterfeiting.
- Conduct quarterly meetings of the task force members to update, discuss, and collaborate on IP investigations, prosecutions, training, and public awareness activities for which a detailed plan must be documented in the attached timeline, and provide to all relevant partners documented information about targeting, investigation, analysis, and prosecution of matters involving IP crimes as they relate to violations of state and local criminal statutes.

#### **Deliverables**

Establish or expand existing IP enforcement task forces comprising state, local, tribal, territorial, or campus law

enforcement entities.

- Assist task force member agencies in enforcing criminal laws related to IP theft, including the reimbursement of expenses incurred during criminal enforcement operations such as overtime pay and storage fees for seized evidence. Ensure deconfliction of participating agencies' investigative and enforcement efforts. Grantees and any task force-participating agencies are required to deconflict task force investigations and events through Case Explorer, SAFETNet, or RISSafe, entities of the Nationwide Officer Safety Event Deconfliction Program. More information can be obtained at <https://ncirc.bja.ojp.gov/event-deconfliction>.

The Goals, Objectives, and Deliverables are directly related to the performance measures that show the completed work's results, as discussed in the "Application and Submission Information" section.

#### **Evidence-Based Programs or Practices**

OJP strongly encourages the use of data and evidence in policymaking and program development for criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the [OJP Grant Application Resource Guide](#).

#### **Information Regarding Potential Evaluation of Programs and Activities**

OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the [OJP Grant Application Resource Guide](#) section entitled "Information Regarding Potential Evaluation of Programs and Activities."

#### **Federal Award Information**

##### **Solicitation Categories**

This solicitation does not include Solicitation Categories.

##### **Awards, Amounts and Durations**

**Anticipated Number of Awards**  
6

**Anticipated Maximum Dollar Amount of Awards**  
\$375,000.00

**Period of Performance Start Date**  
10/1/22 12:00 AM

**Period of Performance Duration (Months)**  
24

**Anticipated Total Amount to be Awarded Under Solicitation**  
\$2,400,000.00

##### **Continuation Funding Intent**

BJA may, in certain cases, provide additional funding in future years to awards made under this solicitation through continuation awards. OJP will consider, among other factors, OJP's strategic priorities, a recipient's overall management of the award, and the award-funded work's progress, when making continuation award decisions.

##### **Availability of Funds**

This solicitation, and awards (if any are made) under this solicitation, are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by the agency or by law. In addition, nothing in this solicitation is intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

##### **Types of Awards**

BJA expects to make awards under this solicitation as grants. See the "Administrative, National Policy, and Other Legal

Requirements” section of the [OJP Grant Application Resource Guide](#) for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

#### **Financial Management and System of Internal Controls**

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See the [OJP Grant Application Resource Guide](#) for additional information.

#### **Budget Information**

Under this particular solicitation, vehicles of any type are **not** an allowable expense. This includes unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV), and all accompanying accessories to support UAS or UAV.

#### **Cost Sharing or Matching Requirement**

This solicitation does not require a match.

#### **Pre-agreement Costs (also known as Pre-award Costs)**

See the [OJP Grant Application Resource Guide](#) information on Pre-agreement Costs (also known as Pre-award Costs).

#### **Limitation on Use of Award Funds for Employee Compensation: Waiver**

See the [OJP Grant Application Resource Guide](#) information on the Limitation on Use of Award Funds for Employee Compensation; Waiver.

#### **Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs**

See the [OJP Grant Application Resource Guide](#) for information on Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs.

#### **Costs Associated with Language Assistance (if applicable)**

See the [OJP Grant Application Resource Guide](#) for information on Costs Associated with Language Assistance.

#### **Eligibility Information**

For eligibility information, see the solicitation cover page.

For information on cost sharing or match requirements, see the “Federal Award Information” section.

#### **Application and Submission Information**

The following application elements **must** be included in the application to meet the basic minimum requirements to advance to peer review and receive consideration for funding:

- Proposal Abstract
- Proposal Narrative
- Budget Worksheet and Budget Narrative (web-based form) (The web-based form includes the budget details and the budget narrative.)
- Copies of any memoranda of understanding (MOUs) or cooperation agreements for agencies working together on a task force. These should be the most current or updated version and should include all agencies that are part of the identified task force. Include a letter dated and signed from the chief executive of the applying agency that provides

assurance that the state in which the applicant is located has legislation for “intellectual property enforcement.”

See the “Application Elements and Formatting Instructions” section of the [OJP Grant Application Resource Guide](#) for information on what happens to an application that does not contain all the specified elements or is nonresponsive to the scope of the solicitation.

#### **Information to Complete the Application for Federal Assistance (SF-424)**

The SF-424 must be submitted in Grants.gov. It is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

In Section 8F of the SF-424, please include the name and contact information of the individual **who will complete the application in JustGrants**. JustGrants will use this information (*email address*) to assign the application to this user in JustGrants.

**Intergovernmental Review:** This solicitation (“funding opportunity”) is subject to [Executive Order \(E.O.\) 12372](#). An applicant may find the names and addresses of state single points of contact (SPOCs) at the following website: <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>. If the applicant's state appears on the SPOC list, the applicant must contact its SPOC to find out about, and comply with, the state's process under E.O. 12372. In completing the SF-424, an applicant whose state appears on the SPOC list is to make the appropriate selection in response to question 19, once the applicant has complied with its state E.O. 12372 process.

An applicant whose state does not appear on the SPOC list should answer question 19 by selecting “Program is subject to E.O. 12372 but has not been selected by the state for review.”

#### **Standard Applicant Information (JustGrants 424 and General Agency Information)**

The “Standard Applicant Information” section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. The applicant will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, the applicant will need to add zip codes for areas affected by the project, confirm its Authorized Representative, and verify and confirm the organization's unique entity identifier, legal name, and address.

#### **Proposal Abstract**

A proposal abstract (no more than 400 words) summarizing the proposed project, including the purpose of the project, primary activities, expected outcomes, the service area, intended beneficiaries and subrecipients (if known), will be completed in the JustGrants web-based form. This abstract should be written in the third person and will be made publicly available on the OJP website if the project is awarded. Proposal abstracts should be:

- Written for a general public audience.
- Submitted as a separate attachment with “Proposal Abstract” as part of its file name.
- Single-spaced, using a standard 12-point Times New Roman font with 1-inch margins.

#### **Proposal Narrative**

The proposal narrative should be submitted as an attachment in JustGrants. The attached document should be double-spaced, using a standard 12-point font; have no less than 1-inch margins; and should not exceed 10 pages. Pages should be numbered and submitted as an attachment. If the proposal narrative fails to comply with these length restrictions, BJA may consider such noncompliance in peer review and in final award decision.

The following sections must be included as part of the proposal narrative:

##### **a. Description of the Issue OR Statement of the Problem if research is involved**

Identify the precise IP theft issue to be addressed by the project. Provide specific data for the jurisdiction(s) in question, including the nature and scope of the IP theft problem. Explain interconnection, if any, between IP theft and organized crime, criminal gang, or drug trafficking organizations. Explain problems or challenges associated with current enforcement and coordination efforts, including the increased threat posed by the internet.

##### **b. Project Design and Implementation**

Provide a complete description of the project's design and proposed implementation. Applications must relate IP enforcement activities to the program's objectives and performance measures; include a comprehensive discussion of how the task force will ensure coordination among all appropriate federal, state, local, and/or tribal law enforcement entities, including prosecutors, appropriate federal agencies, partner organizations (e.g., industry), and the general public;



and include a comprehensive timeline that identifies milestones, numerically listed deliverables, and who is responsible for each activity (provide title and agency).

### **c. Capabilities and Competencies**

Fully describe the applicant's capabilities to implement the IP theft enforcement project and the competencies of the staff assigned to oversee the project. Applications must identify personnel critical to the project's successful implementation and discuss their roles, responsibilities, and qualifications, as well as discuss the organizational capabilities or competencies that will directly inform the ability to successfully implement the proposed enforcement project.

### **d. Plan for Collecting the Data Required for this Solicitation's Performance Measures**

Explain how IPEP's effectiveness will be demonstrated. Applications must describe how performance measure data will be collected, by whom, how the data will be stored, and how they will be assessed to measure the impact of proposed efforts, as well as describe how the performance data will be shared with customers and stakeholders.

Note: Applicants are **not** required to submit performance data with the application. Rather, performance measure information is included as an alert that successful applicants will be required to submit performance data as part of each award's reporting requirements.

OJP will require each successful applicant to submit regular performance data that show the completed work's results. The performance data directly relate to the goals, objectives, and deliverables identified in the "Goals, Objectives, and Deliverables" discussion. Applicants can visit OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) for an overview of performance measurement activities at OJP.

A list of performance measure questions for this program can be found at [Intellectual Property Enforcement Program \(IPEP\) PERFORMANCE MEASURES \(ojp.gov\)](http://www.ojp.gov/performance).

BJA will require award recipients to submit performance measure data and performance reports in JustGrants. BJA will provide further guidance on the post-award submission process, if selected for award.

### **Note on Project Evaluations**

An applicant that proposes to use award funds through this solicitation to conduct project evaluations must follow the guidance in the "Note on Project Evaluations" section in the [OJP Grant Application Resource Guide](#).

### **Goals, Objectives, Deliverables, and Timeline**

The applicant will submit the IPEP goals, objectives, and deliverables in the JustGrants web-based form.

### **Budget and Associated Documentation**

#### **Budget Worksheet and Budget Narrative (Web-based Form)**

The applicant will complete the JustGrants web-based budget form.

See the [OJP Grant Application Resource Guide](#) for additional information.

#### **Indirect Cost Rate Agreement (if applicable)**

The applicant will submit its indirect cost rate agreement by uploading it as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

#### **Financial Management Questionnaire (including applicant disclosure of high-risk status)**

The applicant will download the questionnaire, complete it, and submit it by uploading it as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for the link to the questionnaire and additional information.

#### **Disclosure of Process Related to Executive Compensation**

If applicable, the applicant will submit a description of the process used to determine executive compensation by uploading the document as an attachment in JustGrants. See the “Application Attachments” section of the [OJP Grant Application Resource Guide](#) for information.

#### **Additional Application Components**

Applicants will attach the additional requested documentation in JustGrants.

#### **Tribal Authorizing Resolution**

An application in response to this solicitation may require inclusion of tribal authorizing documentation as an attachment. If applicable, the applicant will submit the tribal authorizing documentation by uploading it as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for information on tribal authorizing resolutions.

#### **Letters of Support**

Include a letter dated and signed from the chief executive of the applying agency that provides assurance that the state in which the applicant is located has legislation for “intellectual property enforcement.” Upload as an attachment in JustGrants.

#### **Research and Evaluation Independence and Integrity Statement**

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant will submit documentation of its research and evaluation independence and integrity by uploading it as an attachment in JustGrants. For additional information, see the [OJP Grant Application Resource Guide](#).

#### **Memorandums of Understanding**

Include copies of any MOUs or cooperation agreements for agencies working together on a task force. These should be the most current or updated version and should include all agencies that are part of the identified task force. They must be uploaded as an attachment in JustGrants.

#### **Disclosures and Assurances**

The applicant will address the following disclosures and assurances.

##### **Disclosure of Lobbying Activities**

Complete and submit the SF-LLL in Grants.gov. See the [OJP Grant Application Resource Guide](#) for additional information.

##### **DOJ Certified Standard Assurances**

Review and accept the DOJ Certified Standard Assurances in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

##### **Applicant Disclosure of Duplication in Cost Items**

Complete the JustGrants web-based Applicant Disclosure of Duplication in Cost Items form. See the [OJP Grant Application Resource Guide](#) for additional information.

##### **DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements**

Review and accept the DOJ Certified Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Law Enforcement and Community Policing in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

##### **Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable)**

If applicable, submit the DOJ High Risk Disclosure and Justification as an attachment in JustGrants. A DOJ High Risk Grantee is an award recipient that has received a DOJ High Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or is otherwise not responsible. See the [OJP Grant Application Resource Guide](#) for additional information.

### How to Apply

Step 1: The applicant must submit the **SF-424** and **SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html>.

Step 2: The applicant must then submit the **full application**, including attachments, in JustGrants in [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov).

For additional information, see the “How to Apply” section in the [OJP Grant Application Resource Guide](#) and the [DOJ Application Submission Checklist](#).

### Submission Dates and Time

The **SF-424** and the **SF-LLL** must be submitted in Grants.gov by 8:59 PM ET on June 1, 2022.

The **full application** must be submitted in JustGrants by 8:59 PM ET June 6, 2022.

OJP urges applicants to submit their Grants.gov and JustGrants submissions prior to the due dates to allow sufficient time to correct errors and resubmit by the submission deadlines if a rejection notification is received. To be considered timely, the **full application** must be submitted in JustGrants by the JustGrants application deadline.

### Experiencing Unforeseen Technical Issues

An applicant that experiences unforeseen SAM.gov, Grants.gov, or JustGrants technical issues beyond its control that prevent application submission by the deadline must demonstrate all efforts in requesting technical support in order to submit an application by the deadline. Technical support is available via phone and email to the applicable SAM.gov, Grants.gov, or JustGrants support centers or service desks in which an applicant received a ticket number for resolution. If an applicant misses a deadline due to unforeseen technical difficulties, the applicant may request a waiver to submit an application after the deadline. *Note: If an applicant does not submit all the required Grants.gov forms by the Grants.gov deadline, the applicant will not be able to proceed to the JustGrants portion of the application process.*

An applicant experiencing technical difficulties with the following systems must contact the associated support desk indicated below to report the technical issue and receive a tracking number:

- Grants.gov — Contact the [Grants.gov Customer Support Hotline](#).
- SAM.gov — Contact the [SAM Help Desk \(Federal Service Desk\)](#).
- JustGrants — Contact the JustGrants Support Desk at [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov) or 833–872–5175.

An applicant requesting a waiver to submit a late application must document their request for technical assistance in an email to the OJP Response Center at [grants@ncjrs.gov](mailto:grants@ncjrs.gov) **within 24 hours after the application deadline** to request approval to submit its application after the deadline. If an applicant has technical issues with Grants.gov, the applicant must contact the OJP Response Center within 24 hours of the Grants.gov deadline to request approval to submit after the deadline. However, waiver requests will not be reviewed until after the JustGrants deadline to allow time for all waivers to be submitted. Waiver requests to submit after the submission deadline must:

- Describe the technical difficulties experienced.
- Include a timeline of the applicant's submission efforts (e.g., what date and time did the error occur, what date and time was action taken to resolve the issue and resubmit; and what date and time did support representatives respond).
- Include an attachment(s) of the complete grant application and all required documentation and material.
- Include the applicant's Unique Entity Identifier (UEI), any applicable SAM.gov tracking number(s), Grants.gov Help

Desk, and JustGrants Support Desk Ticket Numbers.

OJP will review each request for late submission and required supporting documentation and notify the applicant whether the request has been approved or denied. For more details on the waiver process, OJP encourages applicants to review the “Experiencing Unforeseen Technical Issues” section in the [OJP Grant Application Resource Guide](#).

## **Application Review Information**

### **Review Criteria**

#### **a. Merit Review Criteria**

Applications that meet the basic minimum requirements will be evaluated by peer reviewers on how the proposed project/program addresses the following criteria:

1. Description of the Issue (10 percent) — Evaluate the applicant’s understanding of the program/issue to be addressed.
2. Project Design and Implementation (30 percent) — Evaluate the adequacy of the proposal, including the goals, objectives, timelines, milestones, and deliverables.
3. Capabilities and Competencies (25 percent) — Evaluate the administrative and technical capacity of the applicant to successfully accomplish the goals and objectives.
4. Plan for Collecting the Data Required for this Solicitation’s Performance Measures (10 percent) — Evaluate the applicant’s understanding of the performance data reporting requirements and the plan for collecting the required data.
5. Budget (10 percent) — Evaluate for completeness, cost effectiveness, and allowability (e.g., reasonable, allocable, and necessary for project activities).
6. Sustainment (15 percent) — Evaluate the applicant’s plan and strategies to sustain the work of the IP task force beyond the conclusion of the federal award.

#### **b. Other Review Criteria/Factors**

Other important considerations for BJA include geographic diversity (specifically including, but not limited to, those mentioned above relating to addressing specific challenges), available funding, past performance, if the applicant was a successful awardee in FY 2021, and the extent to which the budget worksheet and budget narrative (web-based form) accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

### **Review Process**

Applications submitted under this solicitation that meet basic minimum requirements will be evaluated for technical merit by a peer review panel(s) in accordance with OJP peer review policy and procedures using the review criteria listed above.

OJP screens applications to ensure they meet the basic minimum requirements prior to conducting the peer review. Although specific requirements may vary, the following are common requirements applicable to all OJP solicitations:

- The application must be submitted by an eligible type of applicant.
- The application must request funding within programmatic funding constraints (if applicable).
- The application must be responsive to the scope of the solicitation.
- The application must include all items necessary to meet the basic minimum requirements.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant. Among other things to help assess whether an applicant with one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks

whether the applicant is listed in SAM as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

**Important note on FAPIIS:** An applicant may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may consider not only peer review ratings and BJA recommendations, but also other factors as indicated in this section.

## **Federal Award Administration Information**

### **Federal Award Notices**

See the [OJP Grant Application Resource Guide](#) for information on award notifications and instructions.

### **Administrative, National Policy, and Other Legal Requirements**

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions and all applicable requirements of federal statutes and regulations, including the applicable requirements referred to in the assurances and certifications executed in connection with award acceptance. For additional information on these legal requirements, see the "Administrative, National Policy, and Other Legal Requirements" section in the [OJP Grant Application Resource Guide](#).

### **Information Technology (IT) Security Clauses**

An application in response to this solicitation may require inclusion of information related to information technology security. See the [OJP Grant Application Resource Guide](#) for information on information technology security.

### **General Information about Post-Federal Award Reporting Requirements**

In addition to the deliverables described in the "Program Description" section, all award recipients under this solicitation will be required to submit certain reports and data.

Required reports. Award recipients typically must submit quarterly financial reports, quarterly performance reports, final financial and performance reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measure data.

### **Federal Awarding Agency Contact(s)**

For OJP contact(s), see the solicitation cover page.

For contact information for Grants.gov, see the solicitation cover page.

For contact information for JustGrants, see the solicitation cover page.

### **Other Information**

#### **Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)**

See the [OJP Grant Application Resource Guide](#) for information on the Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a).

## Provide Feedback to OJP

See the [OJP Grant Application Resource Guide](#) for information on how to provide feedback to OJP.

## Performance Measures

Note: Applicants are **not** required to submit performance data with the application. Rather, performance measure information is included as an alert that successful applicants will be required to submit performance data as part of each award's reporting requirements.

OJP will require each successful applicant to submit regular performance data that show the completed work's results. The performance data directly relate to the goals, objectives, and deliverables identified in the "Goals, Objectives, and Deliverables" discussion. Applicants can visit OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) for an overview of performance measurement activities at OJP.

A list of performance measure questions for this program can be found at [Intellectual Property Enforcement Program \(IPEP\) PERFORMANCE MEASURES \(ojp.gov\)](#).

BJA will require award recipients to submit performance measure data and performance reports in JustGrants. BJA will provide further guidance on the post-award submission process, if selected for award.

## Application Checklist

### BJA FY 2022 Intellectual Property Enforcement Program: Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy

This application checklist has been created as an aid in developing an application. The [DOJ Application Submission Checklist](#) is another resource.

## What an Applicant Must Do:

*Prior to registering in Grants.gov:*

- Confirm your Entity's [System Award Management \(SAM\) Registration Information](#) (see [OJP Grant Application Resource Guide](#))

*To register in Grants.gov:*

- Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password (see [OJP Grant Application Resource Guide](#))
- Acquire AOR confirmation from the E-Business Point of Contact (E-Biz POC) (see [OJP Grant Application Resource Guide](#))

*To find the funding opportunity:*

- Search for the funding opportunity in Grants.gov using the opportunity number, Assistance Listing or keyword(s)
- Select the correct Competition ID, if applicable.
- Access the funding opportunity and application package (see Step 7 in the [OJP Grant Application Resource Guide](#))
- Sign up for Grants.gov email [notifications](#) (optional) (see [OJP Grant Application Resource Guide](#))
- Read [Important Notice: Applying for Grants in Grants.gov](#)
- Read OJP policy and guidance on conference approval, planning, and reporting

available at <https://www.ojp.gov/funding/financialguidedoj/iii-postaward-requirements#6g3y8> (see [OJP Grant Application Resource Guide](#))

## Overview of Post-Award Legal Requirements:

- Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2022 Awards](#)" in the [OJP Funding Resource Center](#).

## Review Scope Requirement:

- The federal amount requested is within the allowable limit(s) of \$375,000

#### **Review Eligibility Requirement**

- State governments
- Special district governments
- City or township governments
- Public and state-controlled institutions of higher education
- County governments
- Native American tribal organizations (other than federally recognized tribal governments)
- Native American tribal governments (federally recognized)

Eligible applicants include law enforcement agencies and prosecutors. For the purpose of this solicitation, the following definitions shall apply:

(A) "Law enforcement" shall include state, local, tribal, municipal, or campus law enforcement agencies, to include prosecutors in these jurisdictions.

(B) "Intellectual property enforcement" means matters relating to the enforcement of criminal laws protecting copyrights, patents, trademarks, other forms of intellectual property (IP), and trade secrets, both in the United States and abroad, including in particular matters relating to combating counterfeit and infringing goods.

(C) "State" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

#### **Prepare to submit the Application for Federal Assistance standard form (SF)-424 and Disclosure of Lobbying Activities form (SF-LLL)**

- Review Information to complete the Application for Federal Assistance (SF-424) in Grants.gov
- Intergovernmental Review
- Complete Standard Applicant Information (SF-424 information from Grants.gov)
- Submit the **SF-424** and **SF-LLL** in Grants.gov

*After the SF-424 and SF-LLL submission in Grants.gov, receive Grants.gov email notifications that:*

- Submission has been received in Grants.gov
- Submission has either been successfully validated or rejected with errors (see [OJP Grant Application Resource Guide](#))

*If no Grants.gov receipt and validation, or if error notifications are received:*

- Contact Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at [Grants.gov customer support](#) webpage, or email at support@grants.gov regarding technical difficulties (see [OJP Grant Application Resource Guide](#))

*Receive email notification to complete application in JustGrants*

- Proceed to complete application in JustGrants

#### **Content of Application Submission: Critical Application Elements**

The following items are critical application elements required to pass the basic minimum requirements review. If OJP determines that an application does not include the following elements, it will neither proceed to peer review, nor receive further consideration.

- Proposal Abstract
- Proposal Narrative
- Budget Worksheet and Budget Narrative (web-based form)
- MOUs or cooperation agreements for agencies working together on a task force.
- Letter dated and signed from the chief executive of the applying agency that provides assurance that the state in which the applicant is located has legislation for "intellectual property enforcement."

**Budget and Associated Documentation:**

- Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
- Financial Management and System of Internal Controls Questionnaire

(see [OJP Grant Application Resource Guide](#))

Disclosure of Process related to Executive Compensation, if applicable (see [OJP Grant Application Resource Guide](#))

**Additional Application Components:**

- Tribal Authorizing Resolution (if applicable) (see [OJP Grant Application Resource Guide](#))
- Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))
- Request and Justification for Employee Compensation; Waiver (if applicable)

(see [OJP Grant Application Resource Guide](#))

**Disclosures and Assurances:**

- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure of Duplication in Cost Items (see [OJP Grant Application Resource Guide](#))
- DOJ Certified Standard Assurances (see [OJP Grant Application Resource Guide](#))
- DOJ Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable) (see [OJP Grant Application Resource Guide](#))

***Submit application in JustGrants:***

- Application has been successfully submitted in JustGrants

***If no JustGrants application submission, validation, or if error notifications are received:***

- Contact the JustGrants Service Desk at 833-872-5175 or [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov) regarding technical difficulties.