

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



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## BJA FY 2022 Edward Byrne Memorial Justice Assistance Grant Program – State Solicitation

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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 for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the DOJ's mission by assisting state, local, and tribal law enforcement efforts to prevent or reduce crime and violence and to improve the administration of the criminal justice system.

This solicitation incorporates the [OJP Grant Application Resource Guide](#) by reference. The OJP Grant Application Resource Guide provides guidance to applicants on how to prepare and submit applications for funding to OJP. **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.**

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Limitation on Use of Award Funds for Employee Compensation; Waiver" provisions in the "Financial Information" section of the [OJP Grant Application Resource Guide](#).

### Eligible Applicants:

State governments, Other

### Other

Only states may apply under this solicitation, and states must designate a single [State Administering Agency](#) (SAA) that has authority to apply on their behalf. By law, for purposes of the JAG Program, the term "states" includes the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the U.S. Virgin Islands, Guam, and American Samoa. (Throughout this solicitation, each reference to a "state" or "states" includes all 56 jurisdictions.) The expected eligible allocations by state for the fiscal year (FY) 2022 JAG Program can be found at: [Fiscal Year \(FY\) 2022 State Edward Byrne Memorial Justice Assistance Grant \(JAG\) Allocations \(ojp.gov\)](#).

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

### 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 [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov) or 833-872-5175. 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 close 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://www.usdoj.gov/justgrants). 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.

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to states and units of local government. BJA will award JAG Program funds to eligible states as described in this FY 2022 JAG Program State Solicitation. (BJA will issue a separate solicitation for applications from units of local government.)

For more information on the JAG Program, please refer to the [JAG Fact Sheet](#) and/or [JAG Frequently Asked Questions \(FAQs\)](#).

### Statutory Authority

Title I of Pub. L. No. 90-351 (generally codified at 34 U.S.C. 10151-10726), including subpart 1 of part E (codified at 34 U.S.C. 10151 - 10158); see also 28 U.S.C. 530C(a)

### Specific Information

#### Statutory Formula

JAG awards are based on a statutory formula that is fully described within the [JAG Technical Report](#). Once each fiscal year's overall JAG Program funding level is determined, BJA works with the Bureau of Justice Statistics to begin a four-step grant award calculation process, which, in general, consists of:

1. Computing an initial JAG allocation for each state, based on its share of violent crime and population (weighted equally).
2. Reviewing the initial JAG allocation amount to determine if the state allocation is less than the minimum award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the state is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining states receives the minimum award plus an additional amount based on its share of violent crime and population.
3. Dividing each state's final award amount (except for the territories and the District of Columbia) between the state and its units of local governments at rates of 60 and 40 percent, respectively.
4. Determining unit of local government award allocations, which are based on their proportion of the state's 3-year violent crime average. If the "eligible award amount" for a particular unit of local government, as determined on this basis, is \$10,000 or more, then the unit of local government is eligible to apply directly to OJP (under the JAG Local Solicitation) for a JAG award. If the "eligible award amount" for a particular unit of local government, as determined on this basis, is less than \$10,000, however, the funds are not made available for a direct award to that particular unit of local government, but instead are added to the amount that is awarded to the state.

#### Statutory Program Areas

In general, JAG funds awarded to a state under the FY 2022 program may be used to hire additional personnel and/or purchase equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice, including for any one or more of the following program areas:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs

- Crime victim and witness programs (other than compensation)
- Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams

Note that the statute defines “criminal justice” as “activities pertaining to crime prevention, control, or reduction, or the enforcement of the criminal law, including, but not limited to, police efforts to prevent, control, or reduce crime or to apprehend criminals, including juveniles, activities of courts having criminal jurisdiction, and related agencies (including but not limited to prosecutorial and defender services, juvenile delinquency agencies and pretrial service or release agencies), activities of corrections, probation, or parole authorities and related agencies assisting in the rehabilitation, supervision, and care of criminal offenders, and programs relating to the prevention, control, or reduction of narcotic addiction and juvenile delinquency.”

### **BJA Areas of Emphasis**

BJA recognizes that many state and local criminal justice systems currently face challenging fiscal environments and an important, cost-effective way to relieve those pressures is to share or leverage resources through cooperation among federal, state, and local law enforcement. Key areas of priority for BJA include: Combatting Hate Crime, Promoting Public Trust between Communities and Criminal Justice Agencies, Reducing Violent Crime, Community Violence Intervention (CVI), Addressing COVID-19 Criminal Justice Challenges and Sustaining Innovations, and Crime Analysis and Investigation. BJA encourages each recipient of FY 2022 JAG funds to join federal law enforcement agencies in addressing these challenges. Additional details on the BJA areas of emphasis can be found below:

Combatting Hate Crime: Hate crimes (sometimes called bias-motivated crimes) are criminal offenses motivated by some form of bias toward victims on the basis of their perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability. As noted in the [June 21, 2021 BJA Acting Director Mahoney Letter to SAA Directors](#) and the [January 26, 2022 DOJ Associate Attorney General Gupta Letter to SAA Directors](#), JAG funds may be used to prevent and respond to hate crimes and bias-motivated attacks. BJA encourages JAG recipients to utilize funding to prioritize efforts to identify, investigate, report, and prevent hate crimes and hate incidents; increase public awareness and expand/enhance the reporting of hate crimes; enhance the capacity of law enforcement and prosecutors to prevent and address hate crimes through education, training, and tools to investigate and prosecute hate crime cases; increase collaboration between federal, state, local, tribal, and territorial (SLTT) law enforcement and prosecution agencies in their investigation and prosecution of hate crimes; assist SLTT law enforcement with training in identifying and classifying hate crimes and update these crimes in their entries in the National Incident-Based Reporting System (NIBRS); create state-run hate crime reporting hotlines that direct individuals to law enforcement, if appropriate; and fund victim support services. More information on BJA’s hate crimes portfolio, including the [Emmett Till Cold Case Investigations](#) and [Matthew Shepard and James Byrd, Jr. Hate Crimes](#) programs, can be found at [Hate Crime | Bureau of Justice Assistance \(ojp.gov\)](#).

Promoting Public Trust between Communities and Criminal Justice Agencies: For many communities, recent high profile incidences of excessive uses of force have contributed to strained relationships and a lack of confidence in law enforcement, courts, and prosecutors. Justice system practitioners’ ability to address crime and collaborate with the public depends on having trust and legitimacy with the communities they serve. Criminal justice agencies must work together to renew and strengthen relationships with community members and leaders in order to elevate public confidence and trust in law enforcement, the courts, prosecutors, defense counsel, and corrections; reduce crime; and ensure that the rights of all are protected. In his January 21, 2022, [remarks to the U.S. Conference of Mayors](#), Attorney General Garland stated, “...promoting public trust between communities and law enforcement is essential to making both communities and policing safer. The department will continue to fulfill its duty to ensure the constitutional policing practices that promote the accountability necessary to build that public trust.” As such, BJA encourages SLTT jurisdictions to utilize JAG funding in support of projects that aim to partner police and community organizations and advance constitutional policing practices that create the transparency and accountability necessary to build public trust. The practices include, but are not limited to: eliminating racial profiling and implicit bias, eliminating excessive force and chokeholds, eliminating “no-knock” warrants in drug cases, eliminating contractual arrangements that prevent investigations of law enforcement misconduct, and prohibiting sexual contact between police and persons in their custody. BJA also

encourages SLTT jurisdictions to utilize JAG funding in support of projects that aim to increase trust and confidence in prosecutorial, defense, and court practices such as neighborhood-focused [community courts](#) programs and building capacity and tools to protect constitutional rights under the [Sixth Amendment](#).

Reducing Violent Crime: Although the Federal Bureau of Investigation (FBI) [Uniform Crime Report](#) (UCR) *Crime in the United States* publications for 2020 and 2021 are not yet available, there are other indicators to suggest that certain types of violent crime increased in many areas. According to an analysis of 27 cities conducted by the [Council on Criminal Justice](#), incidents of homicide increased 5 percent over 2020, which had already seen a 44 percent increase in homicides over 2019. Also, preliminary data compiled by the [National Law Enforcement Officers Memorial Fund \(NLEOMF\)](#) indicates that as of December 31, 2021, 458 federal, state, tribal, and local law enforcement officers died in the line of duty in 2021. This is an increase of 55 percent from the 295 officers killed during the same period in 2020 and is the highest total line-of-duty officer deaths since 1930 when there were 312 fatalities. In addition, the past year has seen an unprecedented increase in threats of violence against Americans who administer the election process in our country.

In June of 2021, the Biden-Harris Administration announced a [Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety](#) to stem the flow of firearms used to commit violence including by holding rogue firearms dealers accountable for violating federal laws; supporting local law enforcement with federal tools and resources to help address summer violent crime; investing in evidence-based community violence interventions; expanding summer programming, employment opportunities, and other services and supports for teenagers and young adults; and helping formerly incarcerated individuals successfully reenter their communities.

Recognizing that violent crime and the drivers of that crime vary from community to community, BJA encourages JAG grantees to invest funds to tailor programs and responses to state and local crime issues through the use of data and analytics; coordinate with United States Attorneys and Project Safe Neighborhoods grantees in order to leverage funding for violence reduction projects, and coordinate their law enforcement activities with those of federal law enforcement agencies such as the FBI, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Drug Enforcement Administration, the United States Marshals Service, and the Department of Homeland Security (DHS); and form partnerships with federal, state, and local law enforcement and prosecutors to identify persons who use guns in the commission of a crime and who purchase or sell guns illegally. This includes ensuring that persons prohibited from purchasing firearms (see e.g., 18 U.S.C. § 922(g)) are deterred from doing so by enhancing complete, accurate, and timely access to the FBI's National Instant Criminal Background Check System (NICS) and the submission of all necessary records to the FBI databases in a timely fashion, thereby helping to prevent illegal transfers of firearms to those who are prohibited from owning firearms under current law.

In addition, in June 2021, DOJ issued guidance regarding threats against election workers and launched a [task force](#) to address the rise in such threats. BJA also sent a [letter to SAA Directors](#) clarifying that JAG funds can be used to deter, detect, and protect against threats of violence against election workers, administrators, officials, and others associated with the electoral process. BJA encourages JAG recipients to utilize funds to prevent and respond to violent threats of this kind.

Community Violence Interventions: In April 2021, the [Biden-Harris Administration announced historic investments in community violence intervention \(CVI\)](#) efforts to combat the gun violence epidemic. CVI is an approach that uses evidence-informed strategies to reduce violence through tailored, community-centered initiatives. These multidisciplinary strategies engage individuals and groups to prevent and disrupt cycles of violence and retaliation and establish relationships between individuals and community assets to deliver services that save lives, address trauma, provide opportunity, and improve the physical, social, and economic conditions that drive violence. CVI strategies typically focus on high risk individuals and gang and gun violence, as well as the historical and structural challenges that often contribute to community violence. CVI strategies should involve holistic, coordinated interventions attending to the multiple needs of individuals at high risk of gang and gun violence. For example, hospital-based violence intervention programs use credible messengers to connect with victims of gun violence while they are still in the hospital, and then wraparound services are typically deployed such as behavioral health supports, employment access, housing advocacy, and family supports. For more examples of CVI strategies, visit <https://bja.ojp.gov/program/community-violence-intervention/overview>. BJA encourages JAG recipients to

invest JAG funds to tailor programs and responses to CVI in an effort to build strong, sustained partnerships with community residents and organizations to support CVI work in communities most impacted by violent crime. CVI strategies will be highlighted on [BJA's National Training and Technical Assistance Center \(NTTAC\) website](#), and jurisdictions looking to implement those strategies can request training and technical assistance (TTA) on the [NTTAC website](#).

Addressing COVID-19 Criminal Justice Challenges and Sustaining Innovations: As a result of the COVID-19 pandemic, SLTT criminal justice agencies implemented various community mitigation policies to prevent and reduce the spread of COVID-19. Courts at every level were forced to cancel or significantly scale back proceedings, which commonly included suspending in-person hearings, granting extensions of court deadlines and waivers of speedy trials, restricting access to court buildings, and postponing jury trials. This created a backlog of cases, which impacted criminal court operations and court staff, victims, and witnesses, as well as defendants. To address backlogs and other consequences of the necessary mitigation policies, SLTT agencies created innovative ways to administer justice. While many of these innovations had an up-front cost, they hold significant potential to be cost saving and efficient over time. For example, correctional facilities have enabled virtual programming, education, medical appointments, and family visits, as well as efforts to reduce incarcerated populations. Police departments have hosted virtual community engagement events and opportunities, and courts and community corrections have increased the use of virtual staffing, status hearings, client visits, and access to treatment and support services. In addition, resources have supported the purchase of technology like headsets and Wi-Fi hotspots to ensure confidentiality of defense counsel with clients, as well as partnerships with community partners to host outdoor events like drug court graduations. It is important for SLTT agencies to sustain innovations that improved both the efficiency and effectiveness of justice system operations, and BJA encourages JAG recipients to utilize funds for continued innovation sustainment activities and to continue to address the backlog of cases. This could include the purchase of technology to enhance the use of virtual tools to conduct outreach to witnesses and defendants, as well as for hearings and status conferences, staffing, and enhancing access to services; resources to assist the jurisdiction to develop or enhance its case management system to assess and work to eliminate the backlog of cases; building tools to support diversion and alternatives to incarceration as part of the review of backlogged cases; and technology and equipment to retrofit court houses and staff to mitigate risks to staff and those coming to court. In addition to or in conjunction with support for technology, BJA encourages SLTT agencies to address backlogs by instituting triage and other case -processing improvements, including diversion practices, by prosecutors and courts pretrial, as well as the implementation of legal and nonlegal navigators to guide and support defendants through the legal process.

Crime Analysis and Investigation: With the recent increases in violent crime, crime analysis and investigations have become increasingly vital. Law enforcement agencies that have robust analysis capabilities are better able to focus their limited resources in ways that directly improve public safety while protecting the rights of civilians. According to the [International Association of Crime Analysts \(IACA\)](#), "Crime analysis is both a profession and a set of techniques." The professionals who perform crime analysis, and the techniques they use, are dedicated to helping law enforcement agencies become more effective through the use of relevant metrics, information, and analytical practices.

This past year ransomware has emerged as an international challenge affecting public sectors, private sectors, and even individuals. According to Cybersecurity and Infrastructure Security Agency (CISA) [Alert \(AA22-040A\)](#), "ransomware tactics and techniques continued to evolve in 2021, which demonstrates ransomware threat actors' growing technological sophistication and an increased ransomware threat to organizations globally." To combat this growing threat, DOJ, DHS, and other federal partners have launched a centralized repository of resources for organizations and individuals at [StopRansomware.gov](#). This is a collaborative effort across the federal government and is the first joint website created to help private and public organizations mitigate their ransomware risk.

BJA encourages JAG recipients to utilize funds to support crime analysis efforts, including the hiring of cybercrime analysts and investigators, as well as cybercrime training for state or local law enforcement and emergency dispatch personnel. Recipients utilizing grant funds to support technological devices, artificial intelligence, predictive analytics, and other data-driven solutions ("Technological enhancements") directly should ensure those projects address the tenants of digital trust to include: how the technology will be



carefully implemented through training of personnel and the setting and enforcement of policies governing its use to ensure that it contributes to positive outcomes for public safety, the community and/or the criminal justice system; and how the recipient will safeguard privacy, civil rights, and civil liberties throughout the duration of the project period.

### **Additional Uses of JAG Funds Additional Uses of JAG Funds**

JAG funds awarded to a state under this FY 2022 solicitation may be used to:

- Enforce state and local laws that establish offenses similar to offenses established in 21 U.S.C. § 801 et seq. and/or improve the functioning of the criminal justice system, with emphasis on violent crime and serious offenses, by providing additional personnel, equipment, training, technical assistance, and information systems for the more widespread apprehension, prosecution, adjudication, detention, and rehabilitation of persons who violate these laws, and assist the victims of such crimes (other than compensation).
- Support projects related to preventing, detecting, seizing, and/or stopping the presence and use of contraband cellphones within correctional facilities. This includes the purchasing of managed access systems and other mitigation technologies (as permitted by applicable law).
- Purchase fentanyl and methamphetamine detection equipment, equipment including handheld instruments and training for law enforcement safety, as well as opioid reversal agents.
- Purchase drug-detection canines to combat the rise of drug trafficking, including that of methamphetamines.
- Support efforts to seal and expunge criminal history information in accordance with state laws and policies.
- Support efforts to attract and retain an all-inclusive, diverse, expert, and accountable law enforcement workforce.
- Support virtual reality de-escalation training.
- Purchase humane remote restraint devices that enable law enforcement to restrain an uncooperative subject without requiring the infliction of pain.
- Purchase gunfire detection technology.
- Additionally, JAG funds awarded under this FY 2022 solicitation may be used for any purpose indicated here: [Purposes for Which Funds Awarded Under the Edward Byrne Memorial Justice Assistance Grants \(JAG\) Program May Be Used \(ojp.gov\)](#).

### **Limitations on the Use of JAG Funds**

#### Administrative Costs

Up to 10 percent of a JAG award, including up to 10 percent of any earned interest, may be used for costs associated with administering the award, which can include indirect costs.

#### Supplanting

JAG funds may not be used to supplant state or local funds, but must be used to increase the amounts of such funds that would, in the absence of federal funds, be made available. See the [JAG FAQs](#) for examples of supplanting. Although supplanting is prohibited, the leveraging of federal funding is encouraged.

#### Matching Funds

Absent specific federal statutory authority to do so, JAG award funds may not be used as a match for other federal awards.

#### Prohibited Expenditures and Associated Procedures under JAG

The JAG statute, at [34 U.S.C. § 10152\(d\)](#), specifically identifies a list of prohibited items. JAG funds provided under this part may NOT be used, directly or indirectly, to provide any of the following matters: (1) Any security enhancements or any equipment to any nongovernmental entity that is not engaged in criminal justice or public

safety. (2) Unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of such funds to provide such matters essential to the maintenance of public safety and good order:

- Vehicles, vessels, or aircraft\*
- Luxury items
- Real estate
- Construction projects (other than penal or correctional institutions)
- Any similar matters

\*Police cruisers, police boats, and police helicopters are allowable vehicles under JAG and do not require BJA certification. For purposes of JAG, a vehicle is considered a “police cruiser” only if it is used in the ordinary course for routine police patrol within the United States. Vehicles (including motorcycles, SUVs, and ATVs) used as “police cruisers” are not prohibited under JAG, and therefore may be acquired with JAG funds in the ordinary course, to the extent otherwise allowable under the award. For more information, please see the “prohibited expenditure list” at: [JAG Prohibited and Controlled Expenditures Guidance](#).

**Please refer to the [JAG FAQs](#) for details on how to request prior approval (a waiver) from BJA to utilize JAG funds for prohibited item(s).**

Note: The use of BJA grant funds for unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV), and/or any accompanying accessories to support UAS or UAV devices/systems, is unallowable.

#### **Other Program Requirements**

A state that applies for and receives an FY 2022 JAG award must note the following:

Variable Pass-Through (VPT) Requirement — States must pass-through a predetermined percentage of funds to units of local government. (For purposes of the JAG Program, a “unit of local government” is a city, county, township, town, or certain federally recognized American Indian tribes.) This predetermined percentage (often referred to as the “variable pass-through” or “VPT”) is calculated by OJP’s Bureau of Justice Statistics based on the total criminal justice expenditures by a state and its units of local government. The variable pass-through percentage that will apply to a recipient state’s FY 2022 award, as well as historical VPT percentages, can be found at: <https://bja.ojp.gov/program/jag/jag-variable-pass-through-vpt-information>. (If a state believes the VPT percentage has been calculated incorrectly, the state may provide pertinent, verifiable data to BJA and ask OJP to reconsider.)

Less Than \$10,000 Allocations — A state must appropriately use or distribute the amount of funds that are added to the state’s FY 2022 award because certain units of local government within the state are ineligible for a direct FY 2022 award of JAG funds due to their small size. (These small-sized units of local government are referred to as “less-than-\$10,000 jurisdictions.”) The state must provide these additional funds to state police departments that provide criminal justice services to the “less-than-\$10,000 jurisdictions” within the state and/or subaward the funds to such jurisdictions.

Trust Fund — States (or state administering agencies) or units of local government may draw down JAG funds either in advance or on a reimbursement basis. To draw down in advance, a trust fund must be established in which to deposit the funds. The trust fund must be in an interest-bearing account, unless one of the exceptions in 2 C.F.R. § 200.305(b)(8) apply. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit the funds. For additional information, see 2 C.F.R. § 200.305.

Certifications and Assurances by the Chief Executive of the Applicant Government (which incorporates the 30-day governing body review requirement) — A JAG application is not complete, and a state may not access award funds, unless the chief executive of the applicant state (e.g., the governor) properly executes, and the state submits, the “Certifications and Assurances by the Chief Executive of the Applicant Government.” The most up-to-date version of this certification can be found at: [FY 2022 Byrne JAG - Certifications and Assurances by the Chief Executive of the Applicant Government \(ojp.gov\)](#). Please note that this certification takes the place of the review narrative attachment and contains assurances that the governing body notification and public comment requirements, which are required under the JAG statute (at 34 U.S.C. § 10153(a)(2)), have been satisfied.

OJP will not deny an application for an FY 2022 award for failure to submit these “Certifications and Assurances by the Chief Executive of the Applicant Government” by the application deadline, but a state will not be able to access award funds (and its award will include a condition that withholds funds) until it submits these certifications and assurances, properly executed by the state’s chief executive (e.g., the governor).

Statewide Strategic Plan — States **must** submit a comprehensive statewide strategic plan with their applications. Additionally, in any year in which the statewide strategic plan is not fully updated, states must also submit a brief annual report with their applications.

The statewide strategic plan, which must be updated at least every 5 years, should:

- Be designed in consultation with local governments and representatives of all segments of the criminal justice system — including judges, prosecutors, law enforcement personnel, and corrections personnel — and providers of indigent defense services, victim services, juvenile justice delinquency prevention programs, community corrections, and reentry services.
- Include details of how grants will be used to improve the administration of the criminal justice system.
- Include a description of how the state will allocate funding within and among each of the JAG Program areas.
- Describe the process used by the state for gathering data and developing and using evidence-based and evidence-gathering approaches in support of funding decisions.
- Describe the barriers at the state and local levels for accessing data and implementing evidence-based approaches to preventing and reducing crime and recidivism.

The annual report (required in the years between full statewide strategic plan updates), intended to provide a summary update of program implementation efforts as detailed in the statewide strategic plan, should:

- Discuss changing circumstances in the state, if any, since the strategic plan was adopted.
- Describe how the state plans to adjust funding within and among each of the JAG Program areas.
- Provide an ongoing assessment of need.
- Discuss the accomplishment of the goals identified in the strategic plan.
- Reflect how the plan influenced funding decisions in the previous year.

States that submit incomplete or minimal statewide strategic plans with their applications will be recommended by BJA for TTA. If no plan is attached, an annual report is missing, or a submitted strategic plan or annual report clearly fails to discuss the required elements described above, then TTA will be required, and funds may be withheld until a minimally sufficient strategic plan and/or annual report is submitted.

TTA is available at no cost through a BJA cooperative agreement to assist states with the development of their strategic planning processes and plans. To help ensure that states consider the impact of JAG funding decisions across the entire criminal justice system, BJA strongly encourages each state to involve all criminal justice system stakeholders in the strategic planning process. The strategic planning process should reflect input from all segments of the criminal justice system — including local governments, judges, prosecutors, law enforcement, and corrections personnel — and providers of indigent defense services, victim services, juvenile justice and delinquency prevention programs, parole and probation services, and reentry services. For more information, please see <https://www.ncja.org/strategic-planning>.

Body-worn Cameras (BWCs) — A JAG award recipient that proposes to use FY 2022 funds to purchase BWC equipment or implement or enhance BWC programs must provide to OJP a certification(s) that each direct recipient receiving the equipment or implementing the program has policies and procedures in place related to BWC equipment usage, data storage and access, privacy considerations, and training. The certification form related to BWC policies and procedures can be found at: [Edward Byrne Memorial Justice Assistance Grant \(JAG\) Program - Body-Worn Camera \(BWC\) Policy Certification \(ojp.gov\)](#).

A JAG award recipient that proposes to use funds for BWC-related expenses will have funds withheld until the required certification is submitted and approved by OJP. If the JAG award recipient proposes to change project activities to utilize JAG funds for BWC-related expenses after the award is accepted, the JAG award recipient must submit the signed certification to OJP at that time.

Further, before making any subaward for BWC-related expenses, the JAG award recipient must collect a completed BWC certification from the proposed subrecipient. Any such certifications must be maintained by the JAG award recipient and made available to OJP upon request.

The [BJA BWC Toolkit](#) provides model BWC policies and best practices to assist criminal justice departments in implementing BWC programs.

Apart from the JAG Program, BJA provides funds under the [Body-worn Camera Policy and Implementation Program](#) (BWCPPI). BWCPPI allows jurisdictions to develop and implement policies and practices required for effective program adoption, and to address program factors including the purchase, deployment, and maintenance of camera systems and equipment; data storage and access; and privacy considerations. Interested JAG award recipients may wish to refer to the BWC Program web page for more information. JAG award recipients that are also BWC award recipients may not use JAG funds for any part of the 50 percent match required by the BWC Program.

**Body Armor** — Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the following requirements are met: The body armor must have been tested and found to comply with the latest applicable National Institute of Justice ballistic or stab standards (<https://cjtec.org/compliance-testing-program/compliant-product-lists/>). In addition, body armor purchased must be made in the United States.

Finally, body armor purchased with JAG funds must be “uniquely fitted vests,” which means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage through a combination of: (1) correctly sized panels and carrier determined through appropriate measurement, and (2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. Note that the requirement that body armor be “uniquely fitted” does not necessarily require body armor that is individually manufactured based on the measurements of an individual wearer. In support of OJP’s efforts to improve officer safety, the American Society for Testing and Materials (ASTM) International has made available the *Standard Practice for Body Armor Wearer Measurement and Fitting of Armor* ([Active Standard ASTM E3003](#)) at no cost. The [Personal Armor Fit Assessment Checklist](#) is excerpted from ASTM E3003.

A JAG award recipient that proposes to use FY 2022 award funds to purchase body armor must provide OJP with a certification(s) that each law enforcement agency receiving body armor has a written “mandatory wear” policy in effect\* (see [34 U.S.C. § 10202\(c.\)](#)). The certification form related to mandatory wear can be found at: [Justice Assistance Grant \(JAG\) Program - Body Armor Mandatory Wear Policy Certification \(ojp.gov\)](#). Note: A JAG award recipient that proposes to use funds for the purchase of body armor will have funds withheld until the required certification is submitted and approved by OJP. If the JAG award recipient proposes to change project activities to utilize funds for the purchase body armor after the award is accepted, the award recipient must submit the signed certification to OJP at that time.

Further, before making any subaward for the purchase of body armor, the JAG award recipient must collect a completed mandatory wear certification from the proposed subrecipient. Any such certifications must be maintained by the JAG award recipient and made available to OJP upon request.

Apart from the JAG Program, BJA provides funds under the Patrick Leahy Bulletproof Vest Partnership (BVP) Program. The BVP Program provides funding to state and local law enforcement agencies for the purchase of ballistic-resistant and stab-resistant body armor. For more information on the BVP Program, including eligibility and an application, refer to the [BVP webpage](#). JAG award recipients should note, however, that funds may not be used as any part of the 50 percent match required by the BVP Program.

\*A mandatory wear concept and issues paper and a model policy are available from the BVP Customer Support Center, which can be contacted at [vests@usdoj.gov](mailto:vests@usdoj.gov) or toll free at 1-877-758-3787. Additional information and FAQs related to the mandatory wear policy and certifications can be found in the [JAG FAQs](#).

**Interoperable Communications** — States (including any subrecipients) that are using FY 2022 JAG funds for emergency communications activities should comply with the SAFECOM Guidance for Emergency Communication Grants (SAFECOM Guidance), including provisions on technical standards that ensure and enhance interoperable communications. The SAFECOM Guidance is an essential resource for entities applying for federal financial assistance for emergency communications projects. It provides general information on eligible activities, technical standards, and other terms and conditions that are common to most federal emergency communications programs. Specifically, the SAFECOM Guidance provides guidance to applicants on:

- Recommendations for planning, coordinating, and implementing projects.
- Emergency communications activities that can be funded through federal grants.
- Best practices, policies, and technical standards that help to improve interoperability.
- Resources to help grant recipients comply with technical standards and grant requirements.

SAFECOM Guidance is recognized as the primary guidance on emergency communications grants by the Administration, Office of Management and Budget, and federal grant program offices. CISA updates the document every year in close coordination with federal, state, local, tribal, and territorial stakeholders and partners. SAFECOM Guidance is applicable to all federal grants funding emergency communications. The most recent version of the SAFECOM Guidance is available at <https://www.cisa.gov/safecom/funding>.

Additionally, emergency communications projects funded with FY 2022 JAG funds should support the Statewide Communication Interoperability Plan (SCIP) and be coordinated with the full-time statewide interoperability coordinator (SWIC) in the state of the project. As the central coordination point for a state's interoperability effort, the SWIC plays a critical role and can serve as a valuable resource. SWICs are responsible for the implementation of SCIP through coordination and collaboration with the emergency response community. CISA maintains a list of SWICs for each state and territory. Contact [ecd@cisa.dhs.gov](mailto:ecd@cisa.dhs.gov) for more information. All communications equipment purchased with FY 2022 JAG Program funding should be identified during the quarterly performance measurement reporting.

DNA Testing of Evidentiary Materials and Uploading DNA Profiles to a Database — If JAG Program funds are to be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS), the national DNA database operated by the FBI, by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other nongovernmental DNA database without prior written approval from BJA (exceptions include forensic genealogy). Additionally, award recipients utilizing JAG funds for forensic genealogy testing must adhere to the DOJ Interim Policy Forensic Genealogical DNA Analysis and Searching available at <https://www.justice.gov/olp/page/file/1204386/download>. For more information about DNA testing as it pertains to JAG, please refer to the [JAG FAQs](#).

Entry of Records into State Repositories — As appropriate and to the extent consistent with law, a special condition will be imposed that would require the following: Any program or activity that receives federal financial assistance under JAG that is likely to generate court dispositions or other records relevant to NICS determinations, including any dispositions or records that involve any noncitizen or migrant who is undocumented in the United States (18 U.S.C. § 922(g)(5)(A), must have a system in place to ensure that all such NICS-relevant dispositions or records are made available in a timely fashion.

National Incident-based Reporting System (NIBRS) — In FY 2016, the FBI formally announced its intention to sunset the UCR program's traditional Summary Reporting System (SRS) and replace it with NIBRS by January 1, 2021. By statute, BJA JAG awards are calculated using summary part 1 violent crime data from the FBI's UCR program. Specifically, the formula allocations for JAG rely heavily on the ratio of "the average number of part 1 violent crimes of the UCR of the FBI reported by such State for the three most recent years reported by such State to the average annual number of such crimes reported by all States for such years" (34 U.S.C. 10156(a)(1) (B)). In preparation for the FBI's 2021 NIBRS compliance deadline, BJA imposed an administrative requirement for JAG award recipients that are not NIBRS compliant to dedicate 3 percent of their JAG award toward coming into full compliance with the FBI's NIBRS data submission requirement to both encourage and assist jurisdictions in working toward compliance and ensure they continued to have critical criminal justice funding available through JAG when SRS transitioned to NIBRS. **A NIBRS set-aside is NOT required for FY 2022 awards**; however, JAG recipients are encouraged to continue working toward and/or maintaining NIBRS compliance to ensure that JAG eligibility is not affected in future fiscal years. More information about NIBRS, including toolkits and updates from the FBI Criminal Justice Information Services team, can be found at [NIBRS — FBI](#).

#### **Potential Set-Asides and/or Funding Reductions**

Prison Rape Elimination Act of 2003 (PREA) — In 2012, DOJ published the National PREA Standards, which

were promulgated to prevent, detect, and respond to sexual victimization and abuse in confinement settings. The National PREA Standards are set out at [28 C.F.R. Part 115](#) and apply to confinement facilities, including adult prisons and jails, juvenile facilities, and police lockups.

The PREA statute provides that a state whose governor does not certify full compliance with DOJ's National Standards to Prevent, Detect, and Respond to Prison Rape (PREA Standards), 34 U.S.C. 30307(e), is subject to the loss of 5 percent of any DOJ grant funds that it would otherwise receive for prison purposes, unless the governor submits to the Attorney General an assurance that such 5 percent will be used by the state solely to adopt and achieve full compliance with the PREA Standards in future years. In addition, the Justice for All Reauthorization Act (JFARA) of 2016, which was enacted on December 16, 2016, includes an amendment to the PREA statute. This change provided an option for governors who submitted an assurance to choose whether affected grant funds would be reallocated to the state to use for PREA compliance purposes.

A reduction in an FY 2022 JAG award to a state due to the PREA provision will **not** affect the portion of the JAG award that is reserved for local jurisdictions.

For additional information concerning PREA implementation, send inquiries to the PREA Management Office at [PREACompliance@usdoj.gov](mailto:PREACompliance@usdoj.gov) and/or review the [PREA FAQs](#).

Sex Offender Registration and Notification Act (SORNA) — SORNA, which is Title I of the Adam Walsh Child Protection and Safety Act of 2006, mandates a 10 percent reduction in a JAG award to a state that has failed to substantially implement SORNA. Further, states that have substantially implemented SORNA have an ongoing obligation to maintain that status each year. A reduction in the JAG award is applied for each year a jurisdiction has failed to substantially implement SORNA.

A reduction in an FY 2022 JAG award to a state under the provisions of SORNA will **not** affect the portion of the JAG award that is reserved for local jurisdictions.

For additional information regarding SORNA implementation, including the requirements and a list of states that will be affected in FY 2022 by the 10 percent reduction to the JAG award, send an inquiry to [AskSMART@usdoj.gov](mailto:AskSMART@usdoj.gov). Additional SORNA guidance can be found within the [SORNA FAQs](#).

Death in Custody Reporting Act (DCRA) - The Death in Custody Reporting Act of 2013 (DCRA; [Pub. L. No. 113-242](#)) requires states to report to the Attorney General information regarding the death of any person who is detained, under arrest, or in the process of being arrested, en route to be incarcerated, or incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted by the state, any state or local contract facility, or other local or state correctional facility (including any juvenile facility). SAAs are responsible for collecting data on a quarterly basis from local entities including local jails, law enforcement agencies, medical examiners, and other state agencies.

SAAs are responsible for compiling and aggregating the data for submission to BJA.

Each quarter, states must either (1) report all deaths in custody that occurred in their jurisdictions during the corresponding quarter and provide basic information about the circumstances of those deaths; or (2) affirm that no deaths in custody occurred in their jurisdictions during the reporting period.

States must answer questions related to deaths in custody in BJA's [Performance Measurement Tool](#) (PMT) and submit the information by the reporting deadline. The [reporting deadline](#) is the last day of the month following the close of the quarter (January, April, July, October).

For each death in custody, states must enter the following information into the PMT:

- The decedent's name, date of birth, gender, race, and ethnicity
- The date, time, and location of the death
- The law enforcement or correctional agency involved
- Manner of death
- Description of the circumstances leading to the death

States must sufficiently answer all questions related to deaths in custody before they can submit the information in the PMT. If a state does not have sufficient information to complete certain data elements, it may enter

“unknown” data values (when allowed in the PMT). For cases that remain under investigation, the “manner of death” should be reported as “unavailable, investigation pending,” and the state should specify when it anticipates obtaining the information. Once the information is available, states must contact the PMT Helpdesk to unlock their reports to update them with the relevant information. If the report is not updated, BJA will follow up with states in subsequent reporting periods to update previous entries. The DCRA Questionnaire can be found at [Death in Custody Reporting Act Performance Measure Questionnaire \(ojp.gov\)](#). The [DCRA User Guidance and FAQs](#) as well as [Fact Sheet](#) are also available.

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

### **Goals**

In general, the FY 2022 JAG Program is designed to provide states with additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice. Although the JAG Program provides assistance directly to states, through pass-through (and similar) requirements, the JAG Program also is designed to assist units of local government with respect to their criminal justice needs.

### **Objectives**

The objectives are directly related to the JAG Program accountability measures described at <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/jag-pmt-accountability-measures.pdf>.

### **Deliverables**

A state that receives an FY 2022 JAG award will be required to produce various types of reports including quarterly financial reports, quarterly performance reports, and semi-annual progress reports in JustGrants.

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**  
56

**Anticipated Maximum Dollar Amount of Awards**  
\$19,663,951.00

**Period of Performance Start Date**  
10/1/21 12:00 AM

**Period of Performance Duration (Months)**  
48

**Anticipated Total Amount to be Awarded Under Solicitation**  
\$191,553,102.00

### **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.

The allocations by state for the FY 2022 JAG Program can be found at: [Fiscal Year \(FY\) 2022 State Edward Byrne Memorial Justice Assistance Grant \(JAG\) Allocations \(ojp.gov\)](#).

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

### **Budget Information**

This solicitation expressly modifies the [OJP Grant Application Resource Guide](#) by not incorporating the “Limitation on Use of Award Funds for Employee Compensation; Waiver” provision in the “Financial Information” section of the [OJP Grant Application Resource Guide](#).

General requirement for federal authorization of any subaward; statutory authorization of subawards under the JAG Program statute. Generally, a recipient of an OJP award may not make subawards (“subgrants”) unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) particular subawards, a recipient must have authorization from OJP before it may make a subaward. However, JAG subawards that are required or specifically authorized by statute (see [34 U.S.C. § 10152\(a\)](#) and [34 U.S.C. § 10156](#)) do not require prior approval. This includes subawards made by states under the JAG Program. For additional information regarding subawards and authorizations, please refer to the subaward section in the [OJP Grant Application Resource Guide](#).

The use of BJA grant funds for unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV), and/or any accompanying accessories to support UAS or UAV devices/systems, is unallowable.

### **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](#) for information on Pre-agreement Costs (also known as Pre-award Costs).

### **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

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 application materials 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 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 the response that the: "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 organization's unique entity identifier, legal name, and address.

### 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 Times New Roman font, and have no less than 1-inch margins. Pages should be numbered and submitted as an attachment.

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

#### a. Description of the Issue

Identify the state's strategy/funding priorities for the FY 2022 JAG funds, the subgrant award process and timeline, any progress or challenges, and a description of the programs to be funded over the 4-year grant period.

#### b. Project Design and Implementation

Describe the state's process for engaging stakeholders from across the justice continuum and how that input informs priorities. This should include a description of how local communities are engaged in the planning process, how state and local planning efforts are coordinated, and the challenges faced in coordination. The applicant should identify the stakeholders representing each program area who are participating in the strategic planning process, the gaps in the state's needed resources for criminal justice purposes, plans to improve the

administration of the criminal justice system, and how JAG funds will be coordinated with state and related justice funds.

c. Capabilities and Competencies

Describe any additional strategic planning/coordination efforts in which the state participates with other criminal justice agencies in the state. Please provide an overview of any evidence-informed programs that have been implemented successfully and how those programs might inform implementation of strategic plan priorities.

d. Plan for Collecting the Data Required for this [Solicitation's Performance Measures](#)

OJP will require each successful applicant to submit specific performance data that show the completed work's results. The performance data directly relate to the objectives previously identified under "Objectives."

Applicants should 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.

The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

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.

BJA will require award recipients to submit performance measure data in BJA's PMT located at <https://bjapmt.ojp.gov> and separately submit a semi-annual performance report 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](#).

**Budget and Associated Documentation**

**Budget Worksheet and Budget Narrative (attachment)**

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

The budget and budget worksheet (attachment) is a critical element and applicants will be unable to successfully submit an application in JustGrants unless an attachment is uploaded in this section. If an applicant does not have a budget to submit at the time of application, an attachment must be uploaded noting as such, and BJA will add the appropriate special condition withholding funds for budget documentation.

Please note that the budget narrative should include a full description of all costs, including administrative costs (if applicable).

**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.

This rule does not eliminate or alter the JAG-specific restriction in federal law that states charges for administrative costs may not exceed 10 percent of the award amount, regardless of the approved indirect cost rate.

**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 additional information and the link to the

questionnaire.

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

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating its “Disclosure of Process Related to Executive Compensation” provisions. Applicants to this solicitation are not required to provide this disclosure.

#### **Additional Application Components**

The applicant will attach the requested documentation 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](#).

#### **Certifications and Assurances by the Chief Executive of the Applicant Government**

A JAG application is not complete, and a state may not access award funds, unless the chief executive of the applicant state (e.g., the governor) properly executes, and the state submits, the “Certifications and Assurances by the Chief Executive of the Applicant Government” attached in the section above entitled “Other Program Requirements.” The most up-to-date certification form can be found at: [FY 2022 Byrne JAG - Certifications and Assurances by the Chief Executive of the Applicant Government \(ojp.gov\)](#)

#### **State Strategic Plan and Annual Report (required for FY 2022)**

For FY 2022, each state must submit a comprehensive statewide strategic plan with its application. Additionally, for any year in which the statewide strategic plan is not fully updated, each state must also submit a brief annual report with its application. For more details regarding the strategic planning requirements, see the statewide strategic plan discussion in “Other Program Requirements” under Program Description.

#### **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**

Applicants will review and accept the DOJ Certified Certifications Regarding Lobbying; Debarment, Suspension,

and Other Responsibility Matters; Drug-Free Workplace Requirements; and 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 that 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 at <https://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 July 27, 2022 at 8:59 pm eastern time.

The **full application** must be submitted in JustGrants by August 1, 2022 at 8:59 pm eastern time.

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 OJP Response Center within 24 hours of the Grants.gov deadline to request approval to submit after the deadline. 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) and 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 Process**

OJP reviews the application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the solicitation. See the [OJP Grant Application Resource Guide](#) for information on the application review process for this solicitation.

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, at its option, 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, the Assistant Attorney General will make all final award decisions.

## **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 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 measurement reports, semi-annual 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.)

Accountability measurement data must be submitted through BJA’s Performance Measurement Tool (PMT), available at <https://bjapmt.ojp.gov>. The accountability measures are available at <https://bjapmt.ojp.gov/help/jagdocs.html>. (Note that if a state provides funding to a law enforcement agency, the state must submit quarterly accountability measurement data on training that officers have received on use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.)

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 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.

#### **Application Checklist**

#### **Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: FY 2022 State Solicitation**

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)
- 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/financialguidedo/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 the FY 2022 JAG Allocations List as listed at: [FY 22 State JAG Allocations](#).

*Review Eligibility Requirement:* Only states may apply under this solicitation, and states must designate a single [State Administering Agency](#) (SAA) that has authority to apply on their behalf. By law, for purposes of the JAG Program, the term “states” includes the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the U.S. Virgin Islands, Guam, and American Samoa. (Throughout this solicitation, each reference to a state or states includes all 56 jurisdictions.)

**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
- Submit the 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](#), or email at [support@grants.gov](mailto:support@grants.gov) regarding technical difficulties (see [OJP Grant Application Resource Guide](#))

*Receive email notification to complete application in JustGrants:*

- Complete Application in JustGrants

**Content of Application Submission**

- Proposal Narrative

**Budget and Associated Documentation**

- Budget Worksheet and Budget Narrative (attachment)
- 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](#))

#### **Additional Application Components**

- Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))
- [FY 2022 Byrne JAG - Certifications and Assurances by the Chief Executive of the Applicant Government \(ojp.gov\)](#).
- State Strategic Plan or Annual Report

#### **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 [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov) or 833-872-5175 regarding technical difficulties.