

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



The [U.S. Department of Justice, Office of Justice Programs](#) (OJP) [Bureau of Justice Assistance](#) (BJA) is pleased to announce that it is seeking applications for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence.

Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2010 State Solicitation

Eligibility

Applicants are limited to states, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, Guam, and American Samoa. The allocations list can be found at: www.ojp.usdoj.gov/BJA/grant/10jagallocations.html.

Deadline

This application must be submitted through OJP's [Grants Management System \(GMS\)](#). Registration with [OJP's Grant Management System \(GMS\)](#) is required prior to application submission. (See "How to Apply," page 6)

All applications are due by 8:00 p.m. eastern time on June 16, 2010
(See "Deadlines: Registration and Application," page 1).

Contact Information

For technical assistance with submitting the application, contact the Grants Management System Support Hotline at 1-888-549-9901, option 3, or via e-mail to GMS.HelpDesk@usdoj.gov.

Note: The [GMS](#) Support Hotline hours of operation are Monday–Friday from 6:00 a.m. to 12 midnight eastern time, except federal holidays.

For assistance with the requirements of this solicitation, please contact your State Policy Advisor: www.ojp.usdoj.gov/BJA/resource/ProgramsOffice.pdf.

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Edward Byrne Memorial Justice Assistance Grant (JAG) Program (CFDA #16.738)

Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides states and units of local governments with critical funding necessary to support a range of program areas including law enforcement, prosecution and court programs, prevention and education programs, corrections and community corrections, drug treatment and enforcement, crime victim and witness initiatives, and planning, evaluation, and technology improvement programs.

Deadlines: Registration and Application

Registration is required prior to submission. The deadline to register in GMS is 8:00 p.m. eastern time on June 16, 2010 and the deadline for applying for funding under this announcement is 8:00 p.m. eastern time on June 16, 2010. Please see the “How to Apply” section, page 6, for more details.

Eligibility

Please refer to the cover page of this solicitation for eligibility under this program.

JAG Program—Specific Information

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

Established to streamline justice funding and grant administration, the JAG Program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to prioritize and place justice funds where they are needed most.

Formula

The Bureau of Justice Statistics (BJS) calculates, for each *state and territory*, a minimum base allocation which, based on the Congressionally mandated JAG formula, can be enhanced by (1) the state’s share of the national population, and (2) the state’s share of the country’s Part 1 violent crime statistics. Once the state funding is calculated, 60 percent of the allocation is awarded to the state, and 40 percent to eligible units of local government (please note that the territories and District of Columbia are exempt from this part of the formula).

Eligible state/territory recipients are entitled to the aforementioned 60 percent state allocation plus any funds designated for the state’s units of local government whose direct allocation would be less than \$10,000. Funds from these “less than \$10,000 jurisdictions” will be added to the state allocation and must be distributed by the state to state police departments that provide criminal justice services to units of local government and units of local government that were not

eligible for a direct award of \$10,000 or more. In addition, the formula then calculates direct allocations for local governments within each state, based on their share of the total violent crime reported within the state. Local governments entitled to at least \$10,000 awards may apply directly to BJA for local JAG grants. States also have a variable percentage of the allocation that is *required to be "passed through"* to units of local government. This amount, also calculated by BJS, is based on each state's crime expenditures. Updated Variable Pass-through percentages (VPT), which State Administering Agencies (SAA) are required to use in the administration of FY 2010 JAG awards, can be found at: www.ojp.usdoj.gov/BJA/grant/jag10/10JAGvpt.pdf.

Award Amount

Eligible award amounts under JAG are posted annually on BJA's JAG web page:

www.ojp.usdoj.gov/BJA/grant/jag.html.

Purpose Areas

JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

- 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).

Note: The authorizing statute for the JAG Program provides that funds are to be used for the purposes above and notes that these purposes include all of the purposes previously authorized under the Edward Byrne Memorial State and Local Assistance Program (Byrne Formula) and the Local Law Enforcement Block Grant Program (LLEBG). This provision may be useful to applicants in understanding all of the allowable uses under the above purpose areas. For example, relying on this provision, it can be understood that the JAG Purpose Area "Prosecution and court programs" listed above, provides the states and local units of government with the authority to fund defender, judicial, pretrial, and court administration efforts as well as prosecution programs. For a listing of prior Byrne Formula and LLEBG purpose areas, see www.ojp.usdoj.gov/BJA/grant/byrnepurpose.html. Although these two programs have been eliminated, their prior purpose areas may be useful in appreciating the scope of the JAG purpose areas.

Priorities

BJA recognizes that the downturn in the economy has resulted in significant pressures on state and local criminal justice systems. In these challenging times, all of DOJ, and especially OJP and BJA, wish to ensure that state administering agencies and local JAG recipients are aware of several areas of national focus and priority for DOJ that may be of help in maximizing the effectiveness of the Byrne/JAG funding at the state and local level.

As an overall framework for success, we encourage both state and local comprehensive justice planning, bringing all of the system stakeholders together, including law enforcement, courts, prosecutors, defenders, corrections officials, and other stakeholders to create a comprehensive and strategic justice plan to ensure coordination and a more effective justice system.

As a part of this strategic planning process, we strongly encourage state and local planners to consider programs that are evidence-based and have been proven effective; in a difficult budgetary climate, it is critical that dollars are spent on programs whose effectiveness is proven. However, we recognize that state and local programs can also be wonderful laboratories for innovative programs that can be models for other states and localities addressing difficult problems. BJA has made resources available to State Administering Agencies and others to provide training and technical assistance in identifying and using evidence-based practices as the outcome of a comprehensive and strategic justice plan in the state or local community.

In addition to these overarching considerations and in addition to our longstanding and unwavering commitment to keeping violent crime at its lowest level in decades, the following priorities represent key areas where we will be focusing nationally and invite each state to join us in addressing these challenges as a part of our Justice Assistance Grant partnership.

A key priority for the Department of Justice and, indeed, the entire Administration, is effective counterterrorism and terrorism prevention programs. We recognize that state and local law enforcement are critical partners in detecting, identifying, preventing, and disrupting acts of violence against the United States by both domestic and international extremist organizations. Preventing terrorism remains the first goal of the Department of Justice's strategic plan and remains a priority for BJA.

Another key priority area is ensuring that justice is truly done in the criminal justice system—the Attorney General has consistently stressed that the crisis in indigent defense reform is a serious concern of his, a concern which is shared by OJP and BJA. As a former prosecutor and judge, however, the Attorney General is also acutely aware that without adequate funding for the courts, prosecution, problem-solving courts, and other innovative, cost-saving alternatives to incarceration, true justice cannot be achieved.

As important as a well-functioning court system is, “Smart Policing”—evidence-based and data-driven law enforcement efforts that allow agencies to maximize their resources and more efficiently target emerging and chronic crime problems, hopefully preventing crimes before they occur and ultimately lessening the burden on the courts and the justice system overall.

As our economy shows signs of recovery, it is essential that we not allow this progress to be thwarted by economic crime, including mortgage fraud, financial crimes, fraud, and intellectual property crimes that threaten our economic growth and stability.

In order to lessen the burden on what has been described as an overreliance on incarceration, it is essential that those who have served time can transition back into the community and into crime-free pro-social lives. To do this, we will emphasize smart and effective approaches to offender reentry and will support statewide and local efforts in justice reinvestment, which reduces costly spending on incarceration and reinvests a portion of the savings into other areas of the justice system without sacrificing accountability.

Last, but certainly not least, we must ensure that, in the context of our continued focus on addressing violent crime, children who are exposed to violence are responded to effectively so that these experiences do not risk the futures of these children and do not fuel the cycle of violence.

These priorities and others will be the focus of our efforts during FY 2010, and we invite you as a partner and grantee to join us in our efforts to address these critical issues.

SAA Responsibilities

In each state and territory, the Governor or other Chief Executive Officer designates an agency (State Administering Agency, or SAA) to apply for and administer these funds. The SAA will be responsible for:

- Coordination of JAG funds among state and local justice initiatives.
- Preparation and submission of the state JAG application.
- Administration of JAG funds including establishing funding priorities, distributing funds, monitoring sub-recipients' compliance with all JAG special conditions and provisions, and providing ongoing assistance to sub-recipients.
- Submitting quarterly financial status (SF-425) and performance metrics reports, annual programmatic reports, and annual sub-grant information.

States are strongly encouraged to use JAG funding to support their existing statewide strategic plan. If such a plan does not now exist, states must develop and undertake a strategic planning process, using a community-based engagement model, in order to guide spending under this and future fiscal year allocations. Training and technical assistance (TTA) is available from BJA's TTA providers to assist states with the development of their strategic planning process and their plan to fund evidence-based projects.

Administrative Funds

An SAA may use up to 10 percent of the state award, including interest, for costs associated with administering JAG funds.

Governing Body Review

No fewer than 30 days prior to application submission, an SAA must make its grant application available for review to the governing body of the state, or to an organization designated by that governing body. **Failure to submit a review narrative including the required governing body notification information may result in the attachment of a withholding special condition at the time of award, preventing the drawdown of funds until the required information is submitted.**

Public Comment

At the time of application submission, an SAA must provide an assurance that the application, or a summary of the application, was made public and an opportunity to comment was provided to citizens and neighborhood or community organizations to the extent the applicable law or established procedure makes such an opportunity available. **Failure to submit a review narrative including the required public comment information may result in the attachment of a withholding special condition at the time of award, preventing the drawdown of funds until the required information is submitted.**

Supplanting

Federal funds must be used to supplement existing funds for program activities and cannot replace or supplant nonfederal funds that have been appropriated for the same purpose. Supplanting is prohibited under JAG.

Length of Awards

Awards are made in the first fiscal year of the appropriation and may be expended during the following 3 years, for a total of 4 years. Extensions beyond this period may be made on a case-by-case basis at the discretion of the Director of BJA and must be requested via the Grants Management System (GMS) **no less than 30 days prior to the grant end date.**

Passthrough

JAG requires that states pass through a predetermined percentage (variable pass-through) of funds to units of local government, such as a city, county, township, or town. Calculated by BJS, this percentage is established by assessing the total criminal justice expenditures by the state and units of local government. If an SAA believes its assessment is incorrect, the SAA may appeal the percentage by providing alternate, verifiable data to BJA. Updated pass-through percentages, which are applicable for FY 2010, can be found at:

www.ojp.usdoj.gov/BJA/grant/jag10/10JAGvpt.pdf.

In addition to the pre-determined pass-through percentage, states must also distribute or “pass-through” funds from the “less than \$10,000 jurisdictions” which have been added to the state’s award. These less-than \$10,000 funds must be awarded by the state to state police departments that provide criminal justice services to units of local government and units of local government whose allocation is less than \$10,000.

- ★ If an SAA wishes to fund a project that will be administered by the state but be counted as variable pass-through for JAG purposes, it may do so if the project will directly benefit a unit(s) of local government, and if each local jurisdiction to benefit voluntarily signs a waiver. This waiver must certify that the local jurisdiction: recognizes that the funds in question are set aside for local government use, believes that the proposed project will provide a direct local benefit, and agrees that funding the project at the state level is in the best interests of the unit of local government.

Trust Fund

SAAs may draw down JAG funds in advance. To do so, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest-bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds.

Prohibited Uses

No JAG funds may be expended outside of JAG purpose areas. Even within these purpose areas, however, JAG funds cannot be used directly or indirectly for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Nor may JAG funds be used directly or indirectly to provide for any of the following matters unless BJA certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:

- Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters).
- Luxury items.
- Real estate.
- Construction projects (other than penal or correctional institutions).
- Any similar matters.

Reporting Requirements

Once an award is accepted, SAAs must submit quarterly financial status (SF-425) and annual performance reports through GMS (<https://grants.ojp.usdoj.gov>).

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act of 1993 (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. Additionally, applicants must discuss in their application their methods for collecting data for performance measures. Please refer to "What An Application Must Include" (below), for additional information on applicant responsibilities for collecting and reporting data. **Quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) web site:** www.bjaperformancetools.org.

Budget Information

Match Requirement

While match is not required under the JAG Program, match is an effective strategy for states and units of local government to expand justice funds and build buy-in for local criminal justice initiatives.

How to Apply

Applications will be submitted through OJP's Grants Management System ([GMS](#)). [GMS](#) is a web-based, data-driven computer application that provides cradle to grave support for the application, award, and management of grants at OJP. Applicants should begin the process immediately to meet the GMS registration deadline, especially if this is the first time they have used the system. Complete instructions on how to register and submit an application in GMS can be found at www.ojp.usdoj.gov/gmscbt/. If you experience technical difficulties at any point during this process, please email the GMS.HelpDesk@usdoj.gov or call 1-888-549-9901 (option 3), Monday-Friday from 6:00 a.m.–12 midnight eastern time, except federal holidays. The Office of Justice Programs highly recommends starting the registration process as early as possible to prevent delays in the application submission by the specified deadline.

All applicants are required to complete the following six steps, before an application can be submitted through GMS:

1. **Acquire a DUNS (Data Universal Numbering System) Number.** A DUNS number is required to submit an application in GMS. The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS number in their application for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and sub-recipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling 1-866-705-5711 or by applying online at <http://www.dunandbradstreet.com>. Individuals are exempt from this requirement.
2. **Acquire or Renew Registration with the Central Contractor Registration (CCR) Database.** CCR registration is required to receive funding. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the

CCR database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and sub-recipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. If you have previously registered with CCR, your registration must be updated or renewed at least once per year to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.

3. **Acquire a GMS Username and Password.** If you are a new user, please create a GMS profile by selecting the first time user link under the sign-in box of the [GMS](#) home page. For more information on how to register in GMS, go to www.ojp.usdoj.gov/gmscbt/.
4. **Search for the Funding Opportunity on GMS.** After you log in to GMS or complete your GMS profile for your username and password, go to the Funding Opportunities link on the left hand side of the page. Please select BJA and the Edward Byrne Memorial Justice Assistance Grant (JAG) Program—State Solicitation.
5. **Select the Apply Online Button Associated with the Solicitation Title.** The search results from step 4 will display the solicitation title along with the Registration and Application Deadlines for this funding opportunity. Please select the Apply Online button in the Action Column to create an application in the system.
6. **Submit an Application Consistent with this Solicitation by Following the Directions in GMS.** Once the application is completed and submitted, GMS will display a confirmation screen stating your submission was successful. **Important:** You are urged to submit your application at least 72 hours prior to the application deadline.

Note: OJP's Grants Management System (GMS) does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

Experiencing Unforeseen GMS Technical Issues

If you experience unforeseen GMS technical issues beyond your control which prevent you from submitting your application by the deadline, you should immediately contact the GMS Help Desk at 1-888-549-9901, option 3 to report the difficulties and obtain a GMS Help Desk Tracking number. Additionally, **within 24 hours after the deadline** you must contact BJA staff and request approval to submit your application. At that time, BJA staff will require you to email the complete grant application, your DUNS number, and provide a GMS Help Desk tracking number(s). After the program office reviews all of the information submitted, and validates with the GMS Helpdesk the technical issues you reported, OJP will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be validated, your late application will not be accepted.

The following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process and apply for a DUNS number and/or complete the CCR registration in sufficient time; (2) failure to follow GMS instructions on how to register and apply as posted on its website; (3) failure to follow all of the instructions in the OJP solicitation; and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with GMS are posted on the OJP funding web page, www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Must Include

This section describes what an application is expected to include and sets out a number of elements. Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application and, should a decision nevertheless be made to make an award, may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," "Memoranda of Understanding," etc.) for all attachments.

Standard Form 424

Please see www07.grants.gov/assets/SF424Instructions.pdf for instructions on how to complete your SF-424.

Program Narrative (Attachment 1)

Applicants **must** submit a program narrative that:

- (1) Identifies the state's strategy/funding priorities for the FY 2010 JAG funds, the sub-grant award process and timeline, and a description of the programs to be funded over the 4-year grant period. States are strongly encouraged to prioritize the funding on evidence-based projects.
- (2) Describes the state's strategic planning process that guides its priorities and funding strategy. This should include a description of how local communities are engaged in the planning process and the data and analysis utilized to support the plan; it should identify the gaps in the state's needed resources for criminal justice purposes, and how JAG funds will be coordinated with state and related justice funds. If such a strategic planning process does not now exist, the narrative should describe the state's plan and timeline for developing such a process.
- (3) Describes any additional strategic planning/coordination efforts in which the SAA participates with other criminal justice criminal/juvenile justice agencies in the state.
- (4) Describes the state's plan for collecting and submitting performance measurement data required by BJA, including required sub-grantee performance measurement data.

*** Failure to submit an appropriate program narrative may result in the attachment of a withholding special condition at the time of award, preventing the drawdown of funds until the required information is submitted.**

Budget and Budget Narrative (Attachment 2)

Applicants **must** submit a budget and budget narrative outlining how JAG funds, including administrative funds if applicable, will be used to support and implement the program. This narrative should include a full breakdown of administrative costs, as well as an overview of how funds will be allocated across approved JAG purpose areas. Applicants should utilize the following approved budget categories to label the requested expenditures: Personnel, Fringe Benefits, Travel, Equipment, Supplies, Consultants/Contracts, and an Other category. For

informational purposes only, a sample budget form may be found at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf. **Failure to submit an appropriate budget and budget narrative may result in the attachment of a withholding special condition at the time of award, preventing the drawdown of funds until the required information is submitted.**

Review Narrative (Attachment 3)

SAAs **must** submit information documenting that the date the JAG application was made available for review to the governing body of the state, or to an organization designated by that governing body, was not less than 30 days before the application was submitted to BJA. The attachment must also specify that an opportunity to comment was provided to citizens to the extent applicable law or established procedures make such opportunity available. **Failure to submit an appropriate review narrative may result in the attachment of a withholding special condition at the time of award, preventing the drawdown of funds until the required information is submitted.**

Abstract (Attachment 4)

Applicants **are requested to** provide an abstract that includes the applicant's name, title of the project, goals of the project, and a description of the strategies to be used. The abstract **must** not exceed a half-page, or 400-500 words.

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Assistance reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General (AAG).

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. We strongly encourage you to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- [Civil Rights Compliance](#)
- Faith-Based and Other Community Organizations
- Confidentiality and Human Subjects Protection (if applicable)
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) (if applicable)

- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Nonsupplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of \$5,000,000 – federal taxes certification requirement

Application Checklist
FY 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program:
State Solicitation

The application checklist has been created to aid you in developing your application.

Eligibility Requirement:

- The jurisdiction listed as the legal name on the application corresponds with the eligible jurisdiction listed on BJA's JAG web page
- The federal amount requested is within the allowable limit of the FY 2010 JAG Allocations List as listed on BJA's JAG web page

The Application Components:

- Program Narrative
- Budget and Budget Narrative
- Review Narrative (the date the JAG application was made available to the governing body for review and that it was provided to the public for comment)
- Abstract

Program Narrative Format:

- Double-spaced
- 12-point standard font
- Not less than 1" margins

Abstract Format:

- 12-point standard font
- Not less than 1" margins
- ½ page or less

Other:

- Standard 424 Form
- DUNS Number
- CCR Registration