

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



BJA FY 21 Second Chance Act Pay for Success Initiative

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Application JustGrants Deadline: March 30, 2021 11:59 PM

Overview

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) is seeking applications for funding for state, local, and tribal governments to enhance or implement performance-based and outcomes-based contracts with reentry, permanent supportive housing, or recovery housing providers to reduce recidivism and address the substance use disorders impacting formerly incarcerated people. This program furthers the Department's mission by reducing recidivism and building more effective service delivery systems that pay for performance and outcomes.

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.**

Solicitation Categories

Competition ID	Category *	Number of Awards	Dollar Amount for Award	Performance Start Date	Performance Duration (Months)
C- BJA-2021-00 011-PROD	Performance-based and Outcomes-based Contracting for Permanent Supportive Housing (PSH) or Reentry Services	4	\$1,100,000.00	10/1/21 12:00 AM	54 months
C- BJA-2021-00 012-PROD	Performance-based and Outcomes-based Contracting for Recovery Housing	2	\$1,100,000.00	10/1/21 12:00 AM	54 months

Eligible Applicants:

City or township governments, County governments, Native American tribal organizations (other than Federally recognized tribal governments), Public housing authorities/Indian housing authorities, State governments, Other

Other

Both categories have following eligible applicants:

- State governments
- City or township governments
- County governments
- Public housing authorities/Indian housing authorities
- Native American tribal governments (federally recognized)

For purposes of this solicitation, “state” means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

See Eligibility Information in this solicitation.

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

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

Contact Information

For technical assistance with submitting the **SF-424 and SF- LLL** in Grants.gov, contact the Grants.gov Customer Support Hotline at 800–518–4726, 606–545–5035, at [Grants.gov customer support webpage](#), or email at [support@grants.gov](#). The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in DOJ’s Justice Grants System (JustGrants), contact the JustGrants Service Desk at 833–872–5175 or [JustGrants.Support@usdoj.gov](#). 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.

An applicant that experiences unforeseen Grants.gov or JustGrants technical issues beyond its control that prevent it from submitting its application by the deadline must email the National Criminal Justice Reference Service Response Center (Response Center) at [grants@ncjrs.gov](#) **within 24 hours after the application deadline** to request approval to submit its application after the deadline.

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

Submission Information

In FY 2021, applications will be submitted to DOJ in a **NEW** two-step process.

Step 1: Applicants will submit an **SF-424 and an SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html>. To register in Grants.gov, applicants will need to obtain a Data Universal Numbering System (DUNS) and System for Award Management (SAM) registration or renewal.

Step 2: Applicants will submit the **full application** including attachments in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov).

To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

OJP encourages applicants to review, the "How to Apply" section in the [OJP Grant Application Resource Guide](#).

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Program Description

Overview

Pay for Success is performance-based and outcomes-based programming that ties payment for services to reaching agreed upon goals. Under this initiative, services that may be purchased include permanent supportive and recovery housing, as well as other types of reentry services which are tailored to individuals leaving incarceration, particularly those with substance use disorders.

Statutory Authority

Any awards under this solicitation would be made under statutory authority provided by a full-year appropriations act for FY 2021. As of the writing of this solicitation, the Department of Justice is operating under a short-term "Continuing Resolution"; no full-year appropriation for the Department has been enacted for FY 2021.

Specific Information

Applicants that propose to enter into a performance-based or outcomes-based contract to provide recovery housing should refer to the following document developed by the Substance Abuse and Mental Health Services Administration (SAMHSA): *Recovery Housing: Best Practices and Suggested Guidelines*. As mandated by landmark legislation signed into law in October 2018 (the Substance Use Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act), these guidelines provide SAMHSA's official definition of recovery housing and identifies best practices for operating recovery housing. This document, along with more information about recovery housing, can be found at: <https://www.samhsa.gov/ebp-resource-center/recovery-housing-best-practices-suggested-guidelines>.

Please note that all grant recipients will be expected to work closely with BJA's training and technical assistance provider, the National Reentry Resource Center, to document progress and develop and deliver the required analyses, contracts, and reports as described below.

Goals, Objectives, Deliverables, and Timeline

Goals

The overall goals of the FY 2021 Second Chance Act Pay for Success Initiative are to enhance public safety, lower recidivism, and improve the lives of those coming out of the criminal justice system. Specific goals for each category are:

Category 1: Performance-based and Outcomes-based Contracting for Permanent Supportive Housing (PSH) or Reentry Services: Increase programming for and reduce recidivism in the target reentry population.

Category 2: Performance-based and Outcomes-based Contracting for Recovery Housing: Reduce recidivism and drug use in the target recovery housing population that is in reentry.

Objectives

Category 1:

- Enhance already established performance-based and outcomes-based contracts to provide individualized reentry services or PSH for people leaving incarceration who are identified through a validated risk tool as being at moderate to high risk to reoffend in the community.

- Manage the performance-based or outcomes-based reentry service or PSH contract, including data and report collection, regular performance and outcome reviews between governments and service providers, on- and off-site monitoring, outcomes validation, and incentive payment approvals.
- Ensure government staff and service providers have adequate training on performance-based or outcomes-based procurement, reentry services, PSH, data collection, and outcomes validation.

Category 2:

- Enter into performance-based or outcomes-based contracts to provide evidence-based, high-quality recovery housing to formerly incarcerated individuals who have a substance use disorder.
- Manage the performance-based or outcomes-based recovery housing contract, including data and report collection, regular performance and outcome reviews between governments and service providers, on- and off-site monitoring, performance and outcomes validation, and incentive payment approvals.
- Ensure government staff and service providers have adequate training on performance-based or outcomes-based procurement, recovery housing, data collection, and outcomes validation.

Deliverables

Category 1:

- Analysis that demonstrates reentry service or PSH need using data indicating the number and needs of people to be served. To ensure the intended size and target population are identified, the grantee will provide a description of the mechanisms to identify the population along with a description of the contracted services.
- Analysis that demonstrates the performance targets or outcomes selected for payment. Contracts must include recidivism performance targets or outcomes (rearrest, reconviction, reincarceration, revocation) and can also include time to reoffense and reduction in severity of offense.
- Analysis that demonstrates the grantee's decision about the performance-based or outcomes-based contract structure (e.g., phased approach over the period of the contract, inclusion of a hold-harmless period, etc.), repayment strategy (e.g., unit of outcome achieved, weighted incentives, percent change in outcomes, tiered payment scheduled, bonus payments), and timing of payments.
- Revised contract term report.
- Closeout report, including a listing and description of the performance targets or outcomes achieved and payments made.

Category 2:

- Analysis that demonstrates recovery housing need and provision of services to the target population, including the following data: (1) jail and/or prison booking and release dates, charging information, and unit/bed type, and (2) substance use disorder diagnosis, treatment, and menu of services.
- Analysis that demonstrates the performance targets or outcomes selected for payment. Contracts must include appropriate functional outcomes, relevant system savings, and recidivism performance targets or outcomes, including jail bookings, length of stay, and charging information.
- Analysis that demonstrates the grantee's decision about the performance-based or outcomes-based contract structure (e.g., phased approach over the period of the contract, inclusion of a hold-harmless period, etc.), repayment strategy (e.g., unit of outcome achieved, weighted incentives, percent change in outcomes, tiered payment

scheduled, bonus payments), and timing of payments.

- First-year-of-contract term report.
- Closeout report, including a listing and description of the performance targets or outcomes achieved and payments made.

The Goals, Objectives, and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed under Application and Submission Information.

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policymaking and program development in 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.”

OJP Priority Areas

In FY 2021 and in addition to executing any program-specific prioritization that may be applicable, OJP will give priority consideration to applications as follows:

- Applications that address specific challenges that rural communities face.
- Applications that demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent-poverty counties.
- Applications that offer enhancements to public safety in economically distressed communities (Qualified Opportunity Zones).
- Where the application is from a state or local government entity that operates at least one correctional facility (as defined at 34 U.S.C. 10251(a)(7)), applications that go to enhancing criminal justice and public safety by indicating agreement to comply with award conditions related to cooperation with federal law enforcement, as set forth in Appendix D.

To receive priority consideration under the rural priority, applicants must describe what makes the geographic service area rural (using U.S. Census or other appropriate government data; for assistance, applicants may wish to refer to <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html>), how isolated the area is from needed services, and how they will address specific challenges in rural communities.

To receive priority consideration under the poverty priority, the applicant must provide information to demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent poverty counties. For purposes of this priority consideration, the term “high-poverty area” means any census tract with a poverty rate of at least 20 percent as measured by the 2013–2017 5-year data series available from the American Community Survey of the Census Bureau (applicants may search by census tract at <https://www.census.gov/acs/www/data/data-tables-and-tools/narrative-profiles/2017/>) and the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates (applicants may search by county at <https://www.census.gov/data/tables/time-series/dec/census-poverty.html> and at <https://www.census.gov/programs-surveys/saie.html>).

To receive priority consideration under the Qualified Opportunity Zones priority, applicants must include information that specifies how the project will enhance public safety in the specified QOZs. For resources on QOZs, and for a current list of designated QOZs, see the U.S. Department of the Treasury’s resource webpage, accessible at <https://www.cdfifund.gov/pages/opportunity-zones.aspx>

To receive priority consideration for OJP, policy priority consideration will consist of receiving additional points in the application scoring process. Receipt of priority consideration does not guarantee that an application will be funded; nor will the failure to receive priority consideration necessarily mean that an application will not be funded.

Federal Award Information

Solicitation Category

Competition ID Enter to sort	Category *	Number of Awards	Dollar Amount for Award	Performance Start Date	Performance Duration (Months)
C- BJA-2021-0011- PROD	Performance-based and Outcomes-based Contracting for Permanent Supportive Housing (PSH) or Reentry Services	4	\$1,100,000.00	10/1/21 12:00 AM	54 months
C- BJA-2021-0012- PROD	Performance-based and Outcomes-based Contracting for Recovery Housing	2	\$1,100,000.00	10/1/21 12:00 AM	54 months

Awards, Amounts and Durations

Period of Performance Start Date

10/1/21 12:00 AM

Period of Performance Duration (Months)

54

Anticipated Total Amount to be Awarded Under Solicitation

\$6,600,000.00

Continuation Funding Intent

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

Availability of Funds

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

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 (and cooperative agreements).

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. The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R. Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200. See [OJP Grant Application Resource Guide](#) for additional information.

Budget Information

The funding during the initial period (no longer than 12 months from the date of final budget approval) prior to service contract finalization should include only costs to support contract initialization and support planning activities followed by 36 months of implementation activities. Implementation may begin after BJA reviews and approves the contract and services begin. The final 6 months will be used to validate performance targets and outcomes and develop and submit the final report.

Up to \$200,000 of each award may be used to research, price, write, negotiate, and finalize the service contracts, and the rest must be used to fund either performance-based or outcomes-based contracted services.

In addition to the unallowable costs identified in the [DOJ Grants Financial Guide](#), award funds may not be used for the following:

- Prizes, rewards, entertainment, trinkets, or any type of monetary incentive
- Client stipends
- Gift cards
- Vehicles
- Food and beverage

For questions pertaining to budget and examples of allowable and unallowable costs, see the [DOJ Grants Financial Guide](#).

Cost Sharing or Matching Requirement

This solicitation does not require a match.

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

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

Limitation on Use of Award Funds for Employee Compensation: Waiver

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

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

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

Costs Associated with Language Assistance (if applicable)

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

Eligibility Information

To advance Executive Order 13929 Safe Policing for Safe Communities, the Attorney General determined that all state, local, and university or college law enforcement agencies must be certified by an approved independent credentialing body or have started the certification process to be eligible for FY 2021 DOJ discretionary grant funding. To become certified, the law enforcement agency must meet two mandatory conditions: (1) the agency's use of force policies adhere to all applicable federal, state, and local laws; and (2) the agency's use of force policies prohibit chokeholds except in situations where use of deadly force is allowed by law. The certification requirement also applies to law enforcement agencies receiving DOJ discretionary grant funding through a subaward. For detailed information on this new certification requirement, please visit <https://cops.usdoj.gov/SafePolicingEO> to access the Standards for Certification on Safe Policing for Safe Communities, Implementation Fact Sheet, and List of Designated Independent Credentialing Bodies.

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

BJA will consider applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as

subrecipients (subgrantees). For additional information on subawards, see the [OJP Grant Application Resource Guide](#).

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

Application and Submission Information

The following application elements **MUST** be included in the application submission for an application to meet the basic minimum requirements (BMR) to advance to peer review and receive consideration for funding:

- Project Abstract
- Proposal Narrative
- Budget Detail Worksheet and Budget Narrative
- Letter of Support from the Lead Agency Executive
- Letter of Support from the Responsible Government Procurement Agency Executive
- Disclosure of Proposed Subrecipients
- Timeline
- Résumés/Curricula Vita of Key Personnel

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 that is nonresponsive to the scope of the solicitation.

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

The SF-424 will be submitted in Grants.gov. The SF-424 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.

Intergovernmental Review: This solicitation (“funding opportunity”) **is not** subject to [Executive Order 12372](#). (In completing the SF-424, an applicant is to answer question 19 by selecting the response that the “Program is not covered by E.O. 12372.”)

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. Applicants will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, applicants will need to: add zip codes for areas affected by the project; confirm their Authorized Representative; and verify the organization’s legal name and address.

Proposal Abstract

A proposal abstract (no more than 400 words) summarizing the proposed project including primary activities, products and deliverables, the service area, and who will benefit from the proposed project, will be completed in the JustGrants Web-based form.

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; have no less than 1-inch margins; and should not exceed 15 pages. Pages should be numbered and submitted as an attachment. If the program narrative fails to comply with these length restrictions, BJA may negatively consider such noncompliance in peer review and in final award decisions.

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

a. Description of the Issue

- Describe the current service delivery method.
- Describe any efforts conducted by the applicant jurisdiction in the past 5 years to enter into performance-based or outcomes-based contracts and the results of those efforts.
- Provide an overview of the jurisdiction's current service provision capacity in the relevant category (Category 1, reentry services or PSH, or Category 2, recovery housing). Include whether those services are provided by the applicant agency, via contract, or through governmental or nongovernmental partners. Describe how demand for such services is being met compared to the need and how the jurisdiction assesses that need.

b. Project Design and Implementation

- Address in detail how the applicant proposes to undertake and accomplish each of the objectives and deliverables described in the Program Description section.
- Address the data-sharing agreements that need to be in place to inform the contract and to assess performance targets or outcome attainment. Discuss which entities have the data needed, any history of sharing information with these entities, as well as any perceived challenges with obtaining data on an ongoing basis.
- Include a Timeline/Project Plan that generally reflects a 12-month planning and contracting period, 36-month implementation period, and a 6-month post-implementation period; the major tasks and deliverables of the proposed project; and who is responsible for each activity, including the procurement functions. Successful applicants will be expected to have staffing and other needed supports in place by the end of the planning period so they can begin addressing the primary project activities at the start of the implementation period.
- In addition to the attachments such as letters from the lead agency executive, the responsible government procurement agency executive, and other key partners (if applicable), provide a written demonstration of the jurisdiction's commitment to making a shift to performance-based or outcomes-based contracts.

c. Capabilities and Competencies

- Provide a detailed description of the capacity of the organization and the key personnel to deliver the required services and perform the key tasks described in the Program Description section.
- Describe how the proposed management structure and staffing of the project will facilitate the delivery of the required services. The management and organizational structure described should match the staffing needs necessary to accomplish the tasks outlined in the Timeline/Project Plan. Information regarding the personnel assigned to

these tasks and whether their résumés and role descriptions are included will contribute to the assignment of points relative to this criterion.

- d. Plan for Collecting the Data Required for this Solicitation's Performance Measures
- Describe the manner in which the data required for this solicitation's performance measures will be collected, including the system(s) used and the person(s) responsible.
 - Describe whether and how other relevant performance metrics will be documented, monitored, and evaluated.

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

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables."

Applicants can also visit OJP's performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

Award recipients will be required to submit performance measure data and performance reports in JustGrants. Examples of the performance measures questionnaire can be found at <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/Semiannual-Narrative-Questions.pdf> or <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/SCA-Pay-for-Success-Measures.pdf>. Further guidance on the post-award submission process will be provided, if selected for award.

e. Impact/Outcomes, Sustainability

- Discuss the ability of the jurisdiction to validate performance or outcomes.
- Discuss how this effort will be integrated into the jurisdiction's justice system plans or commitments.
- Describe how the program will be financially sustained after federal funding ends and the expected long-term results for the program.

Note on Project Evaluations

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

Goals, Objectives, Deliverables, and Timeline

Applicants will submit the Second Chance Act Pay for Success Initiative's goals, objectives, deliverables, and timelines in the JustGrants web-based form. See the [OJP Grant Application Resource Guide](#) for additional information.

Budget and Associated Documentation

Submit a budget that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

Budget narratives should demonstrate generally how the applicant will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the objectives of the project.

Budget Worksheet and Budget Narrative (Web-based Form)

Applicants will complete the JustGrants web-based budget form. See the [OJP Grant Application Resource Guide](#) for additional information.

Indirect Cost Rate Agreement (if applicable)

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

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

Applicants will download the questionnaire in JustGrants and submit by uploading the completed questionnaire as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

Additional Application Components

Applicants will attach the additional requested documentation below in JustGrants.

Curriculum Vitae or Resumes

Applicants will submit a document outlining the position descriptions for the proposed project, not the person's role within the applicant organization. It will describe their critical competencies and expectations for the project. Applicants will submit résumés or CVs for key personnel. Applicants should combine position descriptions and résumés or CVs into a single document. Applicants will submit this document by uploading the document as an attachment in JustGrants.

Tribal Authorizing Resolution

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

Timeline Form

Timeline/Project Plan outlining key tasks, benchmarks, and persons or entities responsible.

Letters of Support From All Other Key Partners detailing the commitment to work with the applicant to promote the mission of the project.

Letter of Assurance Regarding Meaningful Involvement

Letter From Lead Agency Executive demonstrating agency commitment to the project. Note that the executive must also sign the Assurance in Appendix A that aggregate recidivism indicator data will be submitted as required.

Mandatory Lead Agency Executive Assurance to collect and report recidivism indicator data (Appendix A).

Letter From Responsible Government Procurement Agency Executive demonstrating commitment to the project.

Documentation of Anticipated Benefit to Qualified Opportunity Zones (if applicable)

As is mentioned above, OJP will give priority consideration in award decisions to designated Qualified Opportunity Zones (QOZs). Each applicant proposing to receive priority consideration under the Qualified Opportunity Zones priority must provide a sufficient narrative explanation in order for OJP to identify clearly the public safety benefit the applicant anticipates that its project will have on a specified QOZ(s). The narrative and the list of affected QOZs (by census tract number) must be included as an attachment that is clearly labeled as addressing QOZs. The applicant may also include tables, charts, graphs, or other relevant illustrations that may be useful in comprehending the manner in which the proposed project is anticipated to benefit a QOZ(s). Applicants will submit the narrative by uploading the document as an attachment in JustGrants.

Research and Evaluation Independence and Integrity Statement

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

List of Individuals in the Application

Applicant Disclosure of Proposed Subrecipients. Attach a list of proposed subrecipients of grant funding, if applicable, that includes the name, organizational affiliation, and location of the proposed subrecipient entity. (See Appendix B.)

Disclosures and Assurances

Applicants will complete the following disclosures and assurances.

Disclosure of Lobbying Activities

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

DOJ Certified Standard Assurances

See the DOJ Certified Standard Assurances in the [OJP Grant Application Resource Guide](#).

Applicant Disclosure of Duplication in Cost Items

Applicants will 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; and Drug-Free Workplace Requirements. See [OJP Grant Application Resource Guide](#).

How to Apply

Applicants will submit an **SF-424** and an **SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html>.

Applicants will submit the **full application** including attachments in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov).

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

Submission Dates and Time

The **SF-424** and the **SF-LLL** will be submitted in Grants.gov by March 16, 2021 at 11:59 pm. OJP urges applicants to submit applications at least 72 hours prior to the application due date to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov and to correct in a timely fashion any problems that may have caused a rejection notification.

The **full application** will be submitted in JustGrants on March 30, 2021 at 11:59 pm.

To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

Application Review Information

Review Criteria

Applications that meet basic minimum requirements will be evaluated by peer reviewers.

Applications will be evaluated on how the proposed project/program addresses the following criteria:

1. Statement of the Problem/Description of the Issue (15%) - evaluate the applicant's understanding of the program/issue to be addressed.
2. Project Design and Implementation (30%)- evaluate the adequacy of the proposal, including the goals, objectives, timelines, milestones, and deliverables.
3. Capabilities and Competencies (20%) - evaluate administrative and technical capacity of the applicant to successfully accomplish the goals and objectives.
4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (10%) -

evaluate the applicant's understanding of the performance data reporting requirements and the plan for collecting the required data.

5. Budget (10%) - evaluate for completeness, cost effectiveness, and allowability (e.g., reasonable, allocable, and necessary for project activities).
6. Other Impact/Outcomes, Sustainability (15%). - evaluate the applicant's ability to validate performance targets or outcomes, integration or commitments, and long-term results for program.

b. Additional Review Criteria

Other important considerations for BJA include geographic diversity, strategic priorities (specifically including, but not limited to, those mentioned above relating to addressing specific challenges that rural communities face, high-poverty areas or persistent-poverty counties, demonstrable potential enhancement to public safety in one or more federally designated Qualified Opportunity Zones), available funding, past performance, and the extent to which the Budget Worksheet and Budget Narrative (Web-based Form) accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Review Process

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

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

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

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

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

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

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

Federal Award Administration Information

Federal Award Notices

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

Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, and all applicable requirements of federal statutes and regulations (including 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, any recipient of an award under this solicitation will be required to submit certain reports and data.

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

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

Federal Awarding Agency Contact(s)

For OJP contact(s), see page 1.

For contact information for Grants.gov, see page 1.

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 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

Second Chance Act Pay for Success Initiative

This application checklist has been created as an aid in developing an application.-

What an Applicant Must Do:

Prior to Registering in Grants.gov:

- Acquire a DUNS Number (see [OJP Grant Application Resource Guide](#))
- Acquire or renew registration with SAM (see [OJP Grant Application Resource Guide](#))

To Register with Grants.gov:

- Acquire AOR and Grants.gov username/password (see [OJP Grant Application Resource Guide](#))
- Acquire AOR confirmation from the E-Biz POC (see [OJP Grant Application Resource Guide](#))

To Find Funding Opportunity:

- Search for the Funding Opportunity on Grants.gov
- Select the correct Competition ID *[insert if applicable]*
- Access Funding Opportunity and Application Package (see [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 [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](#) (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 2021 Awards](#)” in the [OJP Funding Resource Center](#).

Scope Requirement:

- The federal amount requested is within the allowable limit(s) of *[insert dollar amount]*.

Eligibility Requirement: [Include bulleted eligibility list from the solicitation.]

- Submit **SF-424** and **SF-LLL** in Grants.gov

After 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 Error Notifications are Received:

- Contact BJA 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:

The following items are critical application elements required to pass Basic Minimum Requirements review. An application that OJP determines does not include the application elements that must be included in the application submission in order for the application to meet the basic minimum requirements, will neither proceed to peer review, nor receive further consideration.

- Project Abstract
- Proposal Narrative
- Budget Worksheet and Budget Narrative (web-based form)
- Letter from Lead Agency Executive (if applicable)
- Letter from Responsible Government Procurement Agency Executive
- Disclosure of Proposed Subrecipients
- Timeline/Project Plan
- Résumés or curricula vita for key personnel

Content of Application Submission

- Information to Complete the Application for Federal Assistance (SF-424) in Grants.gov
- Intergovernmental Review *[insert if applicable]*
- Standard Applicant Information (SF-424 info from Grants.gov)
- Proposal Abstract
- Program Narrative *[PO may insert any additional requirements outlined in the Program Narrative section, as applicable.]*
- Budget and Associated Documentation
 - Budget Worksheet and Budget Narrative (web-based form)
 - Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
 - Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))
 - Disclosure of Process related to Executive Compensation *[insert if applicable, consult with OGC]*
- Additional Application Components
 - Tribal Authorizing Resolution (if applicable) *[insert if applicable]* (see [OJP Grant Application Resource Guide](#))

- Research and Evaluation Independence and Integrity [*insert if listed in the solicitation*] (see [OJP Grant Application Resource Guide](#))
- Documentation of rural challenges (if applicable)
- Documentation of high-poverty areas or persistent poverty counties (if applicable)
- Documentation of enhanced public safety in federally designated Qualified Opportunity Zones (if applicable)
- Disclosures and Assurances
- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure of Duplication in Cost Items (Pending Applications) (see [OJP Grant Application Resource Guide](#))
- DOJ Certified Standard Assurance (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 JustGrants Application Submission, Validation, or Error Notifications are Received:

- Contact JustGrants.Support@usdoj.gov or 833-872-5175 regarding technical difficulties

Appendix A

Certification regarding Cooperation with Federal Law Enforcement

I am an authorized official of the State or local government applicant entity named below and I have the authority to make this certification on behalf of the applicant. I understand that the Department will rely upon this certification as a material representation in any decision regarding an award to the applicant. On behalf of the State or local government applicant named below, and in order to receive priority consideration for its application, I certify to the Office of Justice Programs (“OJP”), U.S. Department of Justice (“USDOJ”), the following:

1. The State or local government applicant entity named below operates at least one correctional facility (that is, operates at least one *"place for the confinement or rehabilitation of offenders or individuals charged with or convicted of criminal offenses"* (34 U.S.C. 10251(a)(7))).
2. The applicant agrees to comply with the following four award conditions (or conditions substantially to the same effect) if it is selected to receive an award made by OJP under this solicitation:

CONDITION 1: Noninterference (within the funded "program or activity") with federal law enforcement: Interrogation of certain aliens

SCOPE. This condition applies with respect to the "program or activity" that is funded (wholly or partly) by this award, as of the date the recipient accepts the award, and throughout the remainder of the period of performance for the award. Its provisions must be among those

included in any subaward (at any tier).

1. Noninterference with statutory law enforcement access to correctional facilities

Consonant with federal law enforcement statutes and regulations -- including 8 USC 1357(a), under which certain federal officers and employees "have power without warrant ... to interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States," and 8 CFR 287.5(a), under which that power may be exercised "anywhere in or outside the United States" -- within the funded program or activity, no State or local government entity, -agency, or -official may interfere with the exercise of that power to interrogate "without warrant" (by agents of the United States acting under color of federal law) by impeding access to any State or local government (or government-contracted) correctional facility by such agents for the purpose of "interrogat[ing] any alien or person believed to be an alien as to his [or her] right to be or to remain in the United States."

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

4. Rules of construction

A. For purposes of this condition:

(1) The term "alien" means what it means under section 101 of the Immigration and Nationality Act (INA) (8 USC 1101(a)(3)), except that, with respect to a juvenile offender, it means "criminal alien."

(2) The term "juvenile offender" means what it means under 28 CFR 31.304(f) (as in effect on Jan. 1, 2020).

(3) The term "criminal alien" means, with respect to a juvenile offender, an alien who is deportable on the basis of—

(a) conviction described in 8 USC 1227(a)(2), or

(b) conduct described in 8 USC 1227(a)(4).

(4) The term "conviction" means what it means under 8 USC 1101(a)(48). (Adjudication of a juvenile as having committed an offense does not constitute "conviction" for purposes of this condition.)

(5) The term "correctional facility" means what it means under 34 USC 10251(a)(7)) as of January 1, 2020.

(6) The term "impede" includes taking or continuing any action, or implementing or maintaining any law, policy, rule, or practice, that—

(a) is designed to prevent or to significantly delay or complicate, or

(b) has the effect of preventing or of significantly delaying or complicating.

(7) "State" and "local government" include any agency or other entity thereof (including any public institution of higher education), but not any Indian tribe.

(8) A "public" institution of higher education is defined as one that is owned, controlled, or directly funded (in whole or in substantial part) by a State or local government. (Such a public institution is considered to be a "government entity," and its officials to be "government officials.")

(9) "Program or activity" means what it means under 42 USC 2000d-4a.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, any public institution of higher education, or any other entity (or individual) to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

CONDITION 2: No use of funds to interfere with federal law enforcement: Interrogation of certain aliens

SCOPE. This condition applies as of the date the recipient accepts this award, and throughout the remainder of the period of performance for the award. Its provisions must be among those included in any subaward (at any tier).

1. No use of funds to interfere with statutory law enforcement access to correctional facilities

Consonant with federal law enforcement statutes and regulations -- including 8 USC 1357(a), under which certain federal officers and employees "have power without warrant ... to interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States," and 8 CFR 287.5(a), under which that power may be exercised "anywhere in or outside the United States" -- no State or local government entity, -agency, or -official may use funds under this award to interfere with the exercise of that power to interrogate "without warrant" (by agents of the United States acting under color of federal law) by impeding access to any State or local government (or government-contracted) correctional facility by such agents for the purpose of "interrogat[ing] any alien or person believed to be an alien as to his [or her] right to be or to remain in the United States."

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

4. Rules of construction

A. For purposes of this condition:

(1) The term "alien" means what it means under section 101 of the Immigration and Nationality Act (INA) (8 USC 1101(a)(3)), except that, with respect to a juvenile offender, it means "criminal alien."

(2) The term "juvenile offender" means what it means under 28 CFR 31.304(f) (as in effect on Jan. 1, 2020).

(3) The term "criminal alien" means, with respect to a juvenile offender, an alien who is deportable on the basis of—

(a) conviction described in 8 USC 1227(a)(2), or

(b) conduct described in 8 USC 1227(a)(4).

(4) The term "conviction" means what it means under 8 USC 1101(a)(48). (Adjudication of a juvenile as having committed an offense does not constitute "conviction" for purposes of this condition.)

(5) The term "correctional facility" means what it means under the title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 USC 10251(a)(7)).

(6) The term "impede" includes taking or continuing any action, or implementing or maintaining any law, policy, rule, or practice, that—

- (a) is designed to prevent or to significantly delay or complicate, or
- (b) has the effect of preventing or of significantly delaying or complicating.

(7) "State" and "local government" include any agency or other entity thereof (including any public institution of higher education), but not any Indian tribe.

(8) A "public" institution of higher education is defined as one that is owned, controlled, or directly funded (in whole or in substantial part) by a State or local government. (Such a public institution is considered to be a "government entity," and its officials to be "government officials.")

(9) "Program or activity" means what it means under 42 USC 2000d-4a.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, any public institution of higher education, or any other entity (or individual) to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

CONDITION 3: Noninterference (within the funded "program or activity") with federal law enforcement: Notice of scheduled release

SCOPE. This condition applies with respect to the "program or activity" that is funded (in whole or in part) by the award, as of the date the recipient accepts the award, and throughout the remainder of the period of performance. Its provisions must be among those included in any subaward at any tier.

1. Noninterference with "removal" process: Notice of scheduled release date and time

Consonant with federal law enforcement statutes -- including 8 U.S.C. 1231 (for an alien incarcerated by a State or local government, a 90-day "removal period" during which the federal government "shall" detain and then "shall" remove an alien from the U.S. "begins" no later than "the date the alien is released from ... confinement"; also, the federal government is expressly authorized to make payments to a "State or a political subdivision of the State ... with respect to the incarceration of [an] undocumented criminal alien"); 8 U.S.C. 1226 (the federal government "shall take into custody" certain criminal aliens "when the alien is released"); and 8 U.S.C. 1366 (requiring an annual report to Congress on "the number of illegal alien[felons] in Federal and State prisons" and programs underway "to ensure the prompt removal" from the U.S. of removable "criminal aliens") -- within the funded program or activity, no State or local government entity, -agency, or -official (including a government-contracted correctional facility) may interfere with the "removal" process by failing to provide -- as early as practicable (see para. 4.C. below) -- advance notice to DHS of the scheduled release date and time for a particular alien, if a State or local government (or government-contracted) correctional facility receives from DHS a formal written request pursuant to the INA that seeks such advance notice.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

4. Rules of construction

A. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, or any other entity or individual to maintain (or detain) any individual in custody beyond the date and time the individual otherwise would have been released.

B. Applicability

(1) Current DHS practice is ordinarily to request advance notice of scheduled release "as early as practicable (at least 48 hours, if possible)." (See DHS Form I-247A (3/17)). If (e.g., in light of the date DHS made such request) the scheduled release date and time for an alien are such as not to allow for the advance notice that DHS has requested, it shall NOT be a violation of this condition to provide only as much advance notice as practicable.

(2) Current DHS practice is to use the same form for a second, distinct purpose -- to request that an individual be detained for up to 48 hours AFTER the scheduled release. This condition does NOT encompass such DHS requests for detention.

C. Both the "Rules of Construction" and the "Important Note" set out in the "Noninterference (within the funded "program or activity") with federal law enforcement: Interrogation of certain aliens" award condition are incorporated by reference as though set forth here in full.

CONDITION 4: No use of funds to interfere with federal law enforcement: Notice of scheduled release

SCOPE. This condition applies as of the date the recipient accepts the award, and throughout the remainder of the period of performance. Its provisions must be among those included in any subaward at any tier.

1. No use of funds to interfere with "removal" process: Notice of scheduled release date and time

Consonant with federal law enforcement statutes -- including 8 U.S.C. 1231 (for an alien incarcerated by a State or local government, a 90-day "removal period" during which the federal government "shall" detain and then "shall" remove an alien from the U.S. "begins" no later than "the date the alien is released from ... confinement"; also, the federal government is expressly authorized to make payments to a "State or a political subdivision of the State ... with respect to the incarceration of [an] undocumented criminal alien"); 8 U.S.C. 1226 (the federal government "shall take into custody" certain criminal aliens "when the alien is released"); and 8 U.S.C. 1366 (requiring an annual report to Congress on "the number of illegal alien[felons] in Federal and State prisons" and programs underway "to ensure the prompt removal" from the U.S. of removable "criminal aliens") -- no State or local government entity, -agency, or -official (including a government-contracted correctional facility) may use funds under this award to interfere with the "removal" process by failing to provide -- as early as practicable (see para. 4.C. below) -- advance notice to DHS of the scheduled release date and time for a particular alien, if a State or local government (or government-contracted) correctional facility receives from DHS a formal written request pursuant to the INA that seeks such advance notice.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

4. Rules of construction

A. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, or any other entity or individual to maintain (or detain) any individual in custody beyond the date and time the individual otherwise would have been released.

B. Applicability

(1) Current DHS practice is ordinarily to request advance notice of scheduled release "as early as practicable (at least 48 hours, if possible)." (See DHS Form I-247A (3/17)). If (e.g., in

light of the date DHS made such request) the scheduled release date and time for an alien are such as not to allow for the advance notice that DHS has requested, it shall NOT be a violation of this condition to provide only as much advance notice as practicable.

(2) Current DHS practice is to use the same form for a second, distinct purpose -- to request that an individual be detained for up to 48 hours AFTER the scheduled release. This condition does NOT encompass such DHS requests for detention.

C. Both the "Rules of Construction" and the "Important Note" set out in the "No use of funds to interfere with federal law enforcement: Interrogation of certain aliens" award condition are incorporated by reference as though set forth here in full.

Signature

Date

Printed Name

Title

Name of State or Local Government Applicant Entity