

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



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BJA FY 21 Byrne Criminal Justice Innovation Program (BCJI)

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### Overview

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for funding a strategic approach to crime reduction that leverages community knowledge and expertise to build public trust with law enforcement and make neighborhoods safer. This program furthers the Department's mission by enhancing efforts to reduce violent crime associated with gun violence and gang activity, assisting communities struggling with drug abuse, and supporting law enforcement agencies.

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

### Solicitation Categories

Competition ID	Category *	Number of Awards	Dollar Amount for Award	Performance Start Date	Performance Duration (Months)
C- BJA-2021-00 038-PROD	1	9	\$1,000,000.00	10/1/21 12:00 AM	36
C- BJA-2021-00 039-PROD	2	6	\$800,000.00	10/1/21 12:00 AM	36

**Eligible Applicants:**

City or township governments, County governments, Native American tribal governments (Federally recognized), Native American tribal organizations (other than Federally recognized tribal governments), Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education, Nonprofits that do not have a 501(c)(3) status with the IRS, other than institutions of higher education, Private institutions of higher education, Public and State controlled institutions of higher education

The Byrne Criminal Justice Innovation (BCJI) Program, formerly titled “Innovations in Community Based Crime Reduction (CBCR) Program,” targets distressed neighborhoods facing concentrated crime challenges, particularly serious and violent crime, composing a large proportion of crime as compared to other parts of the jurisdiction. Therefore, applying jurisdictions are strongly encouraged to coordinate with and seek the support of their local U.S. Attorney’s Office and local policymakers, and to connect BCJI programming with other violent crime and community revitalization efforts.

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.

## 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](mailto:support@grants.gov). The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

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

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](mailto: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](mailto: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 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 <https://justicegrants.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

The Byrne Criminal Justice Innovation (BCJI) Program supports Department priorities to reduce serious and violent crime, including gun violence; dismantle gang activity; and strengthen local capacity to combat drug abuse. BCJI helps communities build trust and support law enforcement agencies working with these communities by integrating enforcement strategies into community-based crime reduction efforts and using this information to understand and target the issues.

## 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

BCJI is a strategic approach to crime reduction that leverages community knowledge and expertise by focusing enforcement efforts on neighborhoods where crime is concentrated, or crime "hotspots." These neighborhoods face a range of challenges which cause their crime problems, so BCJI employs a multifaceted approach that addresses their roots in order to generate long-term impacts. Persistent crime and public safety problems, especially gang activity and youth violence, cannot be addressed solely by law enforcement. These issues require a comprehensive interagency approach that enables law enforcement, educators, social services agencies, and community organizations to address both public safety problems and their underlying causes.

While each BCJI community is unique, most face common challenges and use similar approaches to address crime and safety challenges. These include:

- Addressing serious and violent crime, with a special emphasis on gun violence and related crimes.
- Examining conditions that contribute to crime in order to effectively target crime hotspots.
- Addressing physical conditions that increase risk for crime, seeking to harden these targets through assessments and review of land use, code enforcement, and nuisance laws.
- Implementing strategies to engage residents, including youth and young adults, in crime prevention efforts.

To achieve BCJI Program objectives (described in the next section), the applicant must sustain an active and engaged leadership role in the successful management of a BCJI grant award. The applicant serves as a core partner and must convene, lead, and engage a broad cross-sector partnership team that includes law enforcement, other criminal justice partners, neighborhood residents, and relevant community stakeholders. The cross-sector partnership team should have the capacity to conduct the necessary research and data analysis activities described throughout this grant announcement.

Applicants from jurisdictions that received a BCJI award (formerly titled "Innovations in Community

Based Crime Reduction”) in the last 3 years should describe how they are going to build on the lessons learned from previous local award(s) and/or coordinate with any ongoing BCJI projects. Applicants should consult the following website to determine if there have been previous awards in their jurisdiction: <https://www.theiacp.org/projects/community-based-crime-reduction-training-and-technical-assistance>.

In FY 2021, there are two categories of awards in BCJI. Categories 1 and 2 support planning and implementation phases as described in more detail below. Category 1 is for larger jurisdictions, and Category 2 is for smaller cities and rural jurisdictions under 100,000 per capita.

All applicants should be aware that under federal law, OJP may not award grant funds to procure or obtain any equipment, system, or service that uses “covered telecommunications equipment or services” as a substantial or essential component of any system, or as critical technology as part of any system. In general, with limited exceptions, “covered telecommunications equipment or services” includes telecommunications and video surveillance equipment or services produced by a foreign entity that is specifically designated by statute, or designated by the federal government pursuant to statute.

Applicants also should be aware that, in accordance with DOJ and OJP policy, and with few exceptions, OJP will prohibit use of award funds for unmanned aircraft systems (UAS), absent advance submission of specific documentation of protections in place for privacy, civil liberties, and public safety, and of mitigation of cybersecurity risks. In addition, OJP will bar use of award funds for the purchase or use of UAS made by certain foreign entities designated by DOJ.

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

### **Goal**

The goal of the BCJI solicitation is to invest in jurisdictions with significant crime challenges that want long-term solutions, incorporating all four elements of the BCJI model. This includes programs aimed at developing or improving relationships between law enforcement and the communities they serve, including through community outreach and listening sessions, and supporting nonprofit organizations that focus on improving stressed relationships between law enforcement officers and communities. The BCJI model is based on the principle that sustainable reductions in violent crime require collaboration among partners in the criminal justice system, service providers, and the communities they serve. The BCJI Program approach, and the training and technical assistance (TTA) to support the model, features the following four core elements:

1. A place-based strategy that targets locations where crime is occurring through approaches to deter future crime while integrating crime control efforts with revitalization strategies.
2. Community engagement in shaping and sustaining crime prevention and revitalization efforts to enable success and sustainability over the long haul.
3. Data-driven efforts to problem solve and guide program strategy, using the most effective strategies where they are needed the most, and targeting where crime is concentrated for maximum impact.
4. Partnerships and capacity building to establish trust and promote sustainable collaboration to reduce and prevent crime in hotspots.

### **Objectives**

#### 1. Planning and Action Plan Finalization Phase (6-12 months):

- Building upon the Initial Action Plan that is submitted with the application, review and verify chronic crime hotspots within the target neighborhood, working with law

enforcement, research partners, and crime analysts. Identify micro-hotspots or other specific locations for targeted prevention and/or intervention strategies.

- Update and confirm the most effective strategies to reduce serious and violent crime, particularly drugs and gun violence, resulting in a final comprehensive Action Plan that articulates the range of strategies that the BCJI partners plan to pursue. These strategies may differ from proposed strategies in the Initial Action Plan due to results from data analysis and/or input from stakeholder and community partners.
- Engage community stakeholders in trust building with law enforcement and other partners.
- Finalize the comprehensive Action Plan that includes descriptions of priority hotspots and strategies to reduce crime, and submit to BJA for final approval.

## 2. Action Plan Implementation Phase:

- Implement strategies developed in the approved Final Action Plan.
- Build the capacity of residents and the BCJI management team to coordinate and engage in a crime problem-solving approach.
- Implement, modify, and evaluate strategies, as appropriate; redirect program activities when ongoing analysis indicates program goals are not being met.
- Continue to engage partners and community residents and build trust between partners, including law enforcement.
- Identify and develop a sustainability strategy for long-term implementation of BCJI, including the active role of community stakeholders.

For more information about the BCJI model and planning process, and action plan development, see <https://www.theiacp.org/projects/community-based-crime-reduction-training-and-technical-assistance>.

### **Deliverables**

The Final Action Plan must be submitted and approved by BJA prior to implementation. BJA, the BCJI training and technical assistance (TTA) provider, and the grantee will use this Action Plan to guide and track site progress toward project objectives.

A final report is due 90 days after the project end date.

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

### **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 from federally recognized tribes.
- 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).
- Applications that go to enhancing criminal justice and public safety by indicating agreement to comply with one or more of the following law enforcement-related award conditions
- 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 in which the applicant agrees to comply with award conditions related to cooperation with federal law enforcement, as set forth in Appendix A.
- Where the application is from a state or local government entity, applications in which the applicant agrees to comply with award conditions related to noninterference with federal law enforcement, as set forth in Appendix B.
- Where the application is from a state or local government entity, applications in which the applicant agrees to comply with award conditions related to nondisclosure of federal law enforcement information, as set forth in Appendix C.

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 (QOZs) 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 enhancing criminal justice and public safety by agreeing to comply with one or more award conditions related to law enforcement, applicants can agree to one or more of a series of award conditions (and will receive priority points for each accepted condition):

- To receive priority consideration under the priority for cooperation with federal law enforcement, applicants must sign and submit the certification provided in Appendix A.
- To receive priority consideration under the priority for noninterference with federal law enforcement, applicants must sign and submit the certification provided in Appendix B.
- To receive priority consideration under the priority for nondisclosure of federal law-enforcement information, applicants must sign and submit the certification provided in Appendix C.

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-2021-0 0038- PROD	1	9	\$1,000,000.00	10/1/21 12:00 AM	36
C- BJA-2021-0 0039- PROD	2	6	\$800,000.00	10/1/21 12:00 AM	36

### Awards, Amounts and Durations

#### Period of Performance Start Date

10/1/21 12:00 AM

#### Period of Performance Duration (Months)

36

## **Anticipated Total Amount to be Awarded Under Solicitation**

\$13,900,000.00

## **Additional Information**

Category 1 Total number of awards BJA expects to make: 9 Maximum dollar amount for each award: Up to \$1,000,000. Category 2 Total number of awards BJA expects to make: 6 Maximum dollar amount for each award: Up to \$800,000.

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

## **Budget Information**

BCJI Program Costs that Require Prior Approval or are Unallowable

Applicants should be aware that all proposed costs contained within budget documents submitted by BCJI applicants and awardees will be reviewed for reasonableness, necessity, and compliance with relevant federal statutes, regulations, policies, and guidelines as outlined in the Department of Justice Financial Guide at [https://ojp.gov/financialguide/doj/pdfs/DOJ\\_FinancialGuide](https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide).

BCJI supports broad-based planning and support for implementation in high-crime communities.

While BCJI focuses on community safety and encourages a broad approach, some costs will not be allowable under the BCJI Program and/or may require prior approval. Revisions to the budget are approved through a separate process once the action plan is approved.

## **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**

For eligibility information, see the solicitation cover page.

For information on cost sharing or match requirements, see Federal Award Information.

## **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:

- Proposal Abstract

- Proposal Narrative
- Budget Worksheet and Budget Narrative (web-based form)
- Initial Action Plan
- Memorandum of Understanding signed, at a minimum, by the applicant, local law enforcement (if different from applicant), and one community partner. See Additional Application Components, section g, for more details.

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 abstract **must** include:

1. Applicant’s name and project title.
2. City and state of grant project. For tribes, provide the boundaries or relevant counties and state.
3. Dollar amount of federal grant funds requested.
4. Evidence of United States Attorney’s Office or Project Safe Neighborhoods (PSN) coordination (current or past), if relevant.
5. Identification of the target neighborhood/project boundaries, population of the target area, **and** ZIP code(s).
6. Please state if the community is designated as an Opportunity Zone, Choice

Neighborhood, or Promise Neighborhood.

7. Identification of whether the target neighborhood receives funding from any federal investments that occur, serve, or overlap the target neighborhood, such as other DOJ federal grant programs, including (but not limited to) Project Safe Neighborhoods and the Community Based Violence Prevention Program; Department of Education's Promise Neighborhood; Department of Housing and Urban Development's Choice Neighborhood; a Department of Health and Human Services' Community Health Center grant; Department of the Treasury's Community Development Financial Institution (CDFI) funds; or Qualified Opportunity Zones (QOZs).

8. Summary of plan to use and analyze data to assess and address crime in targeted hotspots.

9. Summary of goals of the grant project and proposed project activities.

10. Identification of specific crime issues and/or problems to be addressed through the grant project.

11. Indication of whether a full-time project coordinator is already in place or will be hired. Please note the name of the entity under which this position will be managed.

12. Identification of other resources that will support BCJI efforts.

## Proposal Narrative

The proposal narrative should be submitted as an attachment in JustGrants. The attached document should be double-spaced, using a standard 12-point Times New Roman font; have no less than 1-inch margins; and should not exceed 20 pages. Pages should be numbered and submitted as an attachment. If the proposal 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 recent history of the target neighborhood and how serious and violent crime, including gun violence, and drug abuse have impacted it. Detail neighborhood assets, challenges, and any experiences that have restricted or limited opportunities for community and economic development. Describe any issues of mutual trust or mistrust between residents and law enforcement and their impact on efforts to effect neighborhood improvement.

Identify the geographic boundaries of the proposed target neighborhood(s), the ZIP code(s), as well as the population size and demographic makeup of the population of both the overall jurisdiction and the target neighborhood(s) where the BCJI strategy is proposed.

Describe the nature and scope of crime in the targeted community, including the number and location of the specific city blocks or other hotspots where crime, or types of crime, is concentrated, as compared with crime rates in the overall jurisdiction. Provide any local/state data and a trend analysis for the target area (including Uniform Crime Reporting data, FBI violent crime rates, calls for service, and survey results from target area residents) to support the application. Crime data must be provided for at least 3 years or longer to demonstrate persistent serious and violent crime issues.

Explain the jurisdiction's limitations in funding the program adequately without federal assistance.

### b. Project Design and Implementation

Identify the program objectives and describe the vision for the target neighborhood, specifically how this vision will address the problems identified in the Description of the Issue. Ensure each objective is precise and measurable, and identify strategies, programs, and policies to achieve the objectives.

Describe the proposed planning process and resulting potential range of strategies in the action plan to address the specific crime drivers identified, which may include enforcement, prevention, intervention, and treatment strategies. Describe coordination of needed resources across various funding sources.

Describe how the objectives support meaningful resident involvement in a manner that fosters trust and builds capacity of partners to sustain a long-term collaborative approach. Applicants should describe a plan for coordinating with the local U.S. Attorney's Office Project Safe Neighborhoods team, if applicable.

Describe how the project design and overall strategy responds to the BCJI model and will reduce and prevent crime in the identified crime targeted area. Describe how the program will develop or improve relationships between law enforcement and the communities they serve, including through community outreach and listening sessions, and supporting nonprofit organizations that focus on improving stressed relationships between law enforcement officers and the communities they serve.

Attach an Initial Action Plan that outlines proposed strategies under consideration for this project. Describe how the proposed solutions are based on evidence-based policies and practices, where available, or propose to employ innovative approaches to an identified target population

Describe how the applicant will strategically leverage federal, state, local, and tribal funding to ensure sustainability of this effort with neighborhood partners that demonstrate the long-term commitment to neighborhood change.

c. Capabilities and Competencies

Describe how the applicant will serve as the program leader who oversees coordination of a consortium of agencies, organizations, and community stakeholders. The applicant must demonstrate its capacity, commitment, and support from key stakeholders in the community to serve as program leader, providing the following information:

- a. Describe how the applicant and partnership will:
  - Analyze crime problems and develop solutions
  - Monitor strategy implementation and achievement of objectives
  - Utilize a full-time site coordinator to manage and lead day-to-day activities during implementation
  - Manage and monitor any subaward(s) of BCJI funds
  - Work collaboratively with the BCJI TTA provider and subject matter experts
  - Govern changes or modifications to the strategy
  - Ensure project and fiscal accountability
  - Collect, collate, and submit timely performance data, semi-annual progress reports, and quarterly financial reports
- b. Describe the applicant's capacity to lead community outreach and trust-building efforts and to engage in building leadership skills, including collaboration with community-based organizations. Describe the applicant's capacity to develop or improve relationships between law enforcement and the communities they serve, and relationships with nonprofit organizations that focus on improving stressed relationships between law enforcement officers and the communities they serve.
- c. Describe the applicant's capacity to manage partnerships to effectively implement place-based, community-oriented crime and community revitalization strategies and community trust building. This includes a plan for bringing local law enforcement and community stakeholders together for a collaborative approach toward crime reduction.
- d. Describe crime analysis and action research capacity and expertise, including work of

the law enforcement agency. The partner organization should demonstrate knowledge of community-oriented, place-based crime strategies and evaluation methods, and describe any history of a relationship or familiarity with the police agency (i.e., has it worked with the applicant and/or police agency in the past, or is this a new endeavor). For rural or tribal areas, it may be more appropriate for the partner organization to describe expertise specific to the issues and needs of the targeted community.

- e. Describe the capacity to assist the police agency with data collection issues and analysis. Include a paragraph about the methods that will be used for the project.

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

For each project goal, identify the criteria that will determine how and if the objectives have been successfully met and one or more specific measurable outcome(s) and the data sources that will be used to determine whether or not the outcome was accomplished.

Describe the process for measuring project performance. Identify who will collect the data, who is responsible for performance measurement, and how the information will be used to guide and assess the program. If applicable, describe the process to accurately report implementation findings. Assess the quality and usefulness of any proposed evaluation activities, findings, and reports.

Describe the steps the applicant will take with the BCJI team to develop a performance management plan. The plan should include strategies to collect data, review data, and use data to improve program performance. The plan should also discuss how the BCJI team will work with the research partner, including any evaluation plans.

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](http://www.ojp.gov/performance) for an overview of performance measurement activities at OJP.

Award recipients will be required to submit performance measurement 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/CBCR-Performance-Measures.pdf>. Further guidance on the post-award submission process will be provided, if selected for award.

### **Note on Project Evaluations**

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

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

Applicants will submit the BCJI'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**

### **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.

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

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

## **Memoranda of Understanding (MOUs) and Other Supportive Documents**

Each applicant must submit, as part of its application, a Memorandum of Understanding (MOU) signed by each individual, organization, or agency listed below (1-7). For sample MOUs, please visit the LISC BCJI/CBCR Resources page at <https://www.lisc.org/our-initiatives/safety-justice/cbcr/resources/tools-templates/>.

Each MOU must:

- Describe each partner's financial and programmatic commitment.
- Describe how each partner's existing vision and current activities align with those of the BCJI partnership.
- Demonstrate a commitment to provide crime and arrest data needed to complete the crime analysis described in this solicitation, in addition to specific staff that will oversee this effort.

MOUs must include signatures from, at a minimum, the following individuals/organizations and describe the following:

1. Applicant

2. Local law enforcement agency, if different
3. One community partner
4. A list of key partners and their leadership
5. A list of persons who will oversee the required BCJI elements, including data collection, analysis, and a research plan; planning and strategy development; community engagement; and law enforcement
6. The management structure and staff designated to implement the project; describe their roles and responsibilities including decision making, as well as those of any co-applicants or partners, if applicable
7. Any existing or non-BCJI resources the partnership intends to leverage to complete project activities

## **Additional Application Components**

Applicants will attach the additional requested documentation in JustGrants.

## **Curriculum Vitae or Resumes**

Attach position descriptions for the key positions and résumés for current staff, in addition to job posting descriptions for anticipated new hires. If the applicant is hiring, please detail in the timeline when it anticipates the hiring process to be complete and when any new hire's efforts will commence.

## **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.

## **Letters of Support**

Applicants should provide Letters of Support or Interest from criminal justice partners, community leaders (as defined by the local jurisdiction), and any other key members of the cross-sector partnership team or other entities that will be key partners in the BCJI strategy.

Applicants are encouraged to seek a Letter of Interest from the U.S. Attorney's Office, especially if the applicant is seeking priority consideration as a coordinated Project Guardian site.

## **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](#).

### **Documentation of Rural Challenges (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to applications that address specific challenges that rural communities face. Each applicant proposing to receive priority consideration under the rural priority must provide a sufficient narrative to include what makes the geographic service area rural (using U.S. Census or other appropriate government data), how isolated the area is from needed services, and how it will address specific challenges in rural communities. Applicants will submit the narrative by uploading the document as an attachment in JustGrants.

### **Documentation of High-Poverty Areas or Persistent-Poverty Counties (if applicable)**

As mentioned above, OJP will give priority consideration in award decisions to applications that demonstrate that the individuals who will benefit from the requested grant reside in high-poverty areas or persistent-poverty counties as defined above. Each applicant proposing to receive consideration under the High-Poverty Areas or Persistent-Poverty Counties priority must provide a sufficient narrative explanation to identify each specific High-Poverty Area (by census tract number(s)) and/or each specific Persistent-Poverty County where individuals are intended to benefit from the requested grant and how the requested grant will address specific challenges in each such identified area and/or county. Applicants will submit the narrative by uploading the document as an attachment in JustGrants

### **Certifications Regarding Enhancing Criminal Justice and Public Safety through Law-Enforcement-Related Award Conditions (if applicable)**

### **1. Certification regarding Cooperation with Federal Law Enforcement (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to state or local government entity applicants that operate at least one correctional facility (as defined at 34 U.S.C. 10251(a)(7)), and agree to comply with award conditions related to cooperation with federal law enforcement, as set forth in Appendix A. Each such applicant proposing to receive priority consideration for such cooperation with federal law enforcement must sign and submit the certification provided in Appendix A.

### **2. Certification regarding Noninterference with Federal Law Enforcement (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to state or local government entity applicants that agree to comply with award conditions related to noninterference with federal law enforcement, as set forth in Appendix B. Each such applicant proposing to receive priority consideration for such noninterference with federal law enforcement must sign and submit the certification provided in Appendix B.

### **3. Certification regarding Nondisclosure of Federal Law Enforcement Information (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to state or local government entity applicants that agree to comply with award conditions related to nondisclosure of federal law-enforcement information, as set forth in Appendix C. Each such applicant proposing to receive priority consideration for such nondisclosure of law enforcement sensitive information must sign and submit the certification provided in Appendix C.

## **Initial Action Plan**

Attach an Initial Action Plan outlining proposed strategies under consideration for addressing the crime problems in the target area. Describe the rationale for selecting these strategies and how they are based on evidence-based policies and practices, where available, or employ innovative approaches to an identified target population or area. Describe roles and responsibilities of partner stakeholders in implementation of these strategies and a proposed project timeline for implementation. Identify the expected impact that these strategies would have on crime reduction, community trust, and other public safety measures. The Initial Action Plan should be 2-4 pages and will be subject to changes based on data analysis and community engagement and input.

## **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](#).

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

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

## **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://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 on April 26, 2021, at 11:59 PM EST. 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 by May 10, 2021, at 11:59 PM EST. To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline

## **Application Review Information**

### **Review Criteria**

#### **a. Scored 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 (20%) - evaluate the applicant's understanding of the program/issue to be addressed.
2. Project Design and Implementation (40%)- evaluate the adequacy of the proposal, including the goals, objectives, timelines, milestones, and deliverables.
3. Capabilities and Competencies (25%) - 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 (5%) - 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).

#### **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, and enhancing criminal justice and public safety through award conditions regarding cooperation with federal law enforcement, noninterference with federal law enforcement, and/or nondisclosure of federal law enforcement information), available funding, documented coordination with the U.S. Attorney's Office, 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, quarterly and semi-annual 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 solicitation cover page.

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

## **Other Information**

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

See the [OJP Grant Application Resource Guide](#) for information on 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**

## Byrne Criminal Justice Innovation Program FY 2021 Competitive Solicitation

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
- 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](http://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 \$1,000,000 for Category 1 and \$800,000 for Category 2.

### Eligibility Requirement:

The following entities are eligible to apply:

- City or township governments
- Public and state-controlled institutions of higher education
- County governments
- Native American tribal organizations (other than federally recognized tribal governments)
- Native American tribal governments (federally recognized)
- Nonprofit organizations having a 501(c)(3) status with the IRS, other than institutions of higher education
- Nonprofit organizations that do not have a 501(c)(3) status with the IRS, other than institutions of higher education
- Private institutions of higher education

-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** the Response Center by telephone at 800–851–3420 or TTY: 301–240–6310 (hearing impaired only) or by email at [grants@ncjrs.gov](mailto:grants@ncjrs.gov). 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.

*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.

- **Proposal Abstract**
- **Proposal Narrative**
- **Budget Worksheet and Budget Narrative (web-based form)**
- **Initial Action Plan**
- **Memorandum of Understanding signed, at a minimum, by the applicant, local law enforcement (if different from applicant), and one community partner.**
- Information to Complete the Application for Federal Assistance (SF-424) in Grants.gov

- Standard Applicant Information (SF-424 information from Grants.gov)

#### Budget and Associated Documentation

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

#### Additional Application Components

- Tribal Authorizing Resolution (if applicable) (see [OJP Grant Application Resource Guide](#))
- Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))
- Memorandum of Understanding and/or Letters of Support or Interest
- Initial Action Plan
- Position Descriptions and Résumés
- Request and Justification for Employee Compensation; Waiver (if applicable) (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)
- Certifications regarding enhancing criminal justice and public safety through law-enforcement-related award conditions (if applicable)
  - Certification regarding Cooperation with Federal Law Enforcement (if applicable)
  - Certification regarding Noninterference with Federal Law Enforcement (if applicable)
  - Certification regarding Nondisclosure of Federal Law-Enforcement Information (if applicable)

#### Disclosures and Assurances

- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure of Duplication in Cost Items (see [OJP Grant Application Resource Guide](#))
- DOJ Certified Standard Assurance (see [OJP Grant Application Resource Guide](#))

[Resource Guide](#))

- DOJ Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable) (see [OJP Grant Application Resource Guide](#))

*Submit Application in JustGrants:*

- Application has been successfully submitted in JustGrants

*If No JustGrants Application Submission, Validation, or Error Notifications are Received:*

- Contact [JustGrants.Support@usdoj.gov](mailto: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 (in whole or in part) by this award, 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. Noninterference with statutory law enforcement access to correctional facilities

Consonant with federal law enforcement statutes and regulations -- including 8 U.S.C. 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

C.F.R. 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) (see 8 U.S.C. 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 C.F.R. 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 section 237(a)(2) of the INA (see 8 U.S.C. 1227(a)(2)), or
- (b) conduct described in section 237(a)(4) of the INA (see 8 U.S.C. 1227(a)(4)).

(4) The term "conviction" means what it means under section 101 of the INA (see 8 U.S.C. 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 (see 34 U.S.C. 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 title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 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 U.S.C. 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 C.F.R. 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) (see 8 U.S.C. 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 C.F.R. 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 section 237(a)(2) of the INA (see 8 U.S.C. 1227(a)(2)), or
- (b) conduct described in section 237(a)(4) of the INA (see 8 U.S.C. 1227(a)(4)).

(4) The term "conviction" means what it means under section 101 of the INA (see 8 U.S.C. 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 (see 34 U.S.C. 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 title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 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

## **APPENDIX B: Certification regarding Noninterference 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:

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: information-communication restrictions; ongoing compliance**

1. With respect to the "program or activity" funded in whole or part under this award (including any such program or activity of any subrecipient at any tier), throughout the period of performance, no State or local government entity, -agency, or -official may prohibit or in any way restrict-- (1) any government entity or -official from sending or receiving information regarding citizenship or immigration status to/from DHS; or (2) a government entity or -agency from sending, requesting or receiving, or exchanging information regarding immigration status to/from/with DHS, or from maintaining such information. Any prohibition (or restriction) that violates this condition is an "information-communication restriction" under this award.
2. The recipient's monitoring responsibilities include monitoring of subrecipient compliance with the requirements of this condition.
3. Allowable costs. Compliance with these requirements is an authorized and priority purpose of this award. 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) that the recipient, or any subrecipient at any tier that is a State, a local government, or a public institution of higher education, incurs to implement this condition.
4. Rules of Construction
  - A. For purposes of this condition:
    - (1) "State" and "local government" include any agency or other entity thereof (including any public institution of higher education), but not any Indian tribe.
    - (2) 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.")
    - (3) "Program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 2000d-4a).
    - (4) "Immigration status" means what it means under 8 U.S.C. 1373 and 8 U.S.C. 1644; and terms that are defined in 8 U.S.C. 1101 mean what they mean under that section 1101, except that "State" also includes American Samoa.
    - (5) "DHS" means the U.S. Department of Homeland Security.
  - 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: information-communication restrictions; ongoing compliance**

1. Throughout the period of performance, no State or local government entity, -agency, or -official may use funds under this award (including under any subaward, at any tier) to prohibit or in any way restrict-- (1) any government entity or -official from sending or receiving information regarding citizenship or immigration status to/from DHS; or (2) a government entity or -agency from sending, requesting or receiving, or exchanging information regarding immigration status to/from/with DHS, or from maintaining such information. Any prohibition (or restriction) that violates this condition is an "information-communication restriction" under this award.
2. The recipient's monitoring responsibilities include monitoring of subrecipient compliance with the

requirements of this condition.

3. Allowable costs. Compliance with these requirements is an authorized and priority purpose of this award. 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) that the recipient, or any subrecipient at any tier that is a State, a local government, or a public institution of higher education, incurs to implement this condition.

#### 4. Rules of Construction

##### A. For purposes of this condition:

- (1) "State" and "local government" include any agency or other entity thereof (including any public institution of higher education), but not any Indian tribe.
- (2) 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.")
- (3) "Program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 2000d-4a).
- (4) "Immigration status" means what it means under 8 U.S.C. 1373 and 8 U.S.C. 1644; and terms that are defined in 8 U.S.C. 1101 mean what they mean under that section 1101, except that "State" also includes American Samoa.
- (5) "DHS" means the U.S. Department of Homeland Security.

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: Authority to obligate award funds contingent on noninterference (within the funded "program or activity") with federal law enforcement: information-communication restrictions; unallowable costs; notification**

##### 1. If the recipient is a "State," a local government, or a "public" institution of higher education:

- A. The recipient may not obligate award funds if, at the time of the obligation, the "program or activity" of the recipient (or of any subrecipient at any tier that is a State, a local government, or a public institution of higher education) that is funded in whole or in part with award funds is subject to any "information-communication restriction."
- B. In addition, with respect to any project costs it incurs "at risk," the recipient may not obligate award funds to reimburse itself if -- at the time it incurs such costs -- the program or activity of the recipient (or of any subrecipient at any tier that is a State, a local government, or a public institution of higher education) that would be reimbursed in whole or in part with award funds was subject to any information-communication restriction.
- C. Any drawdown of award funds by the recipient shall be considered, for all purposes, to be a material representation by the recipient to OJP that, as of the date the recipient requests the drawdown, the recipient and each subrecipient (regardless of tier) that is a State, local government, or public institution of higher education, is in compliance with the award condition entitled "Noninterference (within the funded 'program or activity') with federal law enforcement: information-communication restrictions; ongoing compliance."
- D. The recipient must promptly notify OJP (in writing) if the recipient, from its requisite monitoring of compliance with award conditions or otherwise, has credible evidence that indicates that the funded program or activity of the recipient, or of any subrecipient at any tier that is either a State or a local government or a public institution of higher education, may be subject to any information-communication restriction. In addition, any subaward (at any tier) to

a subrecipient that is a State, a local government, or a public institution of higher education must require prompt notification to the entity that made the subaward, should the subrecipient have such credible evidence regarding an information-communication restriction.

2. Any subaward (at any tier) to a subrecipient that is a State, a local government, or a public institution of higher education must provide that the subrecipient may not obligate award funds if, at the time of the obligation, the program or activity of the subrecipient (or of any further such subrecipient at any tier) that is funded in whole or in part with award funds is subject to any information-communication restriction.

3. Absent an express written determination by DOJ to the contrary, based upon a finding by DOJ of compelling circumstances (e.g., a small amount of award funds obligated by the recipient at the time of a subrecipient's minor and transitory non-compliance, which was unknown to the recipient despite diligent monitoring), any obligations of award funds that, under this condition, may not be made shall be unallowable costs for purposes of this award. In making any such determination, DOJ will give great weight to evidence submitted by the recipient that demonstrates diligent monitoring of subrecipient compliance with the requirements set out in the "Noninterference ... information-communication restrictions; ongoing compliance" award condition.

#### 4. Rules of Construction

A. For purposes of this condition "information-communication restriction" has the meaning set out in the "Noninterference ... information-communication restrictions; ongoing compliance" condition.

B. Both the "Rules of Construction" and the "Important Note" set out in the "Noninterference ... information-communication restrictions; ongoing compliance" condition are incorporated by reference as though set forth here in full.

### **CONDITION 4: Authority to obligate award funds contingent on no use of funds to interfere with federal law enforcement: information-communication restrictions; unallowable costs; notification**

1. If the recipient is a "State," a local government, or a "public" institution of higher education:

A. The recipient may not obligate award funds if, at the time of the obligation, the "program or activity" of the recipient (or of any subrecipient at any tier that is a State, a local government, or a public institution of higher education) that is funded in whole or in part with award funds is subject to any "information-communication restriction."

B. In addition, with respect to any project costs it incurs "at risk," the recipient may not obligate award funds to reimburse itself if -- at the time it incurs such costs -- the program or activity of the recipient (or of any subrecipient at any tier that is a State, a local government, or a public institution of higher education) that would be reimbursed in whole or in part with award funds was subject to any information-communication restriction.

C. Any drawdown of award funds by the recipient shall be considered, for all purposes, to be a material representation by the recipient to OJP that, as of the date the recipient requests the drawdown, the recipient and each subrecipient (regardless of tier) that is a State, local government, or public institution of higher education, is in compliance with the award condition entitled "No use of funds to interfere with federal law enforcement: information-communication restrictions; ongoing compliance."

D. The recipient must promptly notify OJP (in writing) if the recipient, from its requisite monitoring of compliance with award conditions or otherwise, has credible evidence that indicates that the funded program or activity of the recipient, or of any subrecipient at any tier that is either a State or a local government or a public institution of higher education, may be subject to any information-communication restriction. In addition, any subaward (at any tier) to a subrecipient that is a State, a local government, or a public institution of higher education must require prompt notification to the entity that made the subaward, should the subrecipient have such credible evidence regarding an information-communication restriction.

2. Any subaward (at any tier) to a subrecipient that is a State, a local government, or a public

institution of higher education must provide that the subrecipient may not obligate award funds if, at the time of the obligation, the program or activity of the subrecipient (or of any further such subrecipient at any tier) that is funded in whole or in part with award funds is subject to any information-communication restriction.

3. Absent an express written determination by DOJ to the contrary, based upon a finding by DOJ of compelling circumstances (e.g., a small amount of award funds obligated by the recipient at the time of a subrecipient's minor and transitory non-compliance, which was unknown to the recipient despite diligent monitoring), any obligations of award funds that, under this condition, may not be made shall be unallowable costs for purposes of this award. In making any such determination, DOJ will give great weight to evidence submitted by the recipient that demonstrates diligent monitoring of subrecipient compliance with the requirements set out in the "No use of funds to interfere ... information-communication restrictions; ongoing compliance" award condition.

4. Rules of Construction

A. For purposes of this condition "information-communication restriction" has the meaning set out in the "No use of funds to interfere ... information-communication restrictions; ongoing compliance" condition.

B. Both the "Rules of Construction" and the "Important Note" set out in the "No use of funds to interfere ... information-communication restrictions; ongoing compliance" 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

### **APPENDIX C: Certification regarding Nondisclosure of Federal Law-Enforcement Information**

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:

The applicant agrees to comply with the following two 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: No public disclosure of certain law-enforcement-sensitive information**

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 this 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: No public disclosure of federal law-enforcement information in order to conceal, harbor, or shield

Consistent with the purposes and objectives of federal law enforcement statutes and federal criminal law (including 8 U.S.C. 1324 and 18 U.S.C. chs. 1, 49, 227), no public disclosure may be made of any federal law-enforcement information in a direct or indirect attempt to conceal, harbor, or shield from detection any fugitive from justice under 18 U.S.C. ch. 49, or any alien who has come to, entered, or remains in the United States in violation of 8 U.S.C. ch. 12 -- without regard to whether such disclosure would constitute (or could form a predicate for) a violation of 18 U.S.C. 1071 or 1072 or of 8 U.S.C. 1324(a).

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 (see 8 U.S.C. 1101(a)(3));

(2) the term "federal law-enforcement information" means law-enforcement-sensitive information communicated or made available, by the federal government, to a State or local government entity, -agency, or -official, through any means, including, without limitation-- (1) through any database, (2) in connection with any law enforcement partnership or -task-force, (3) in connection with any request for law enforcement assistance or -cooperation, or (4) through any deconfliction (or courtesy) notice of planned, imminent, commencing, continuing, or impending federal law enforcement activity;

(3) the term "law-enforcement-sensitive information" means records or information compiled for any law-enforcement purpose; and

(4) the term "public disclosure" means any communication or release other than one-- (a) within the recipient, or (b) to any subrecipient (at any tier) that is a government entity.

B. Both the "Rules of Construction" and the "Important Note" set out in the "Noninterference (within the funded "program or activity") with federal law enforcement: information-communication restrictions; ongoing compliance" award condition are incorporated by reference as though set forth here in full.

**CONDITION 2: No use of funds to interfere with federal law enforcement: No public disclosure of certain law-enforcement-sensitive information**

SCOPE. This condition applies as of the date the recipient accepts this 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: No public disclosure of federal law-enforcement information in order to conceal, harbor, or shield

Consistent with the purposes and objectives of federal law enforcement statutes and federal criminal law (including 8 U.S.C. 1324 and 18 U.S.C. chs. 1, 49, 227), no funds under this award may be used to make any public disclosure of any federal law-enforcement information in a direct or indirect attempt to conceal, harbor, or shield from detection any fugitive from justice under 18 U.S.C. ch. 49, or any alien who has come to, entered, or remains in the United States in violation of 8 U.S.C. ch. 12 -- without regard to whether such disclosure would constitute (or could form a predicate for) a violation of 18 U.S.C. 1071 or 1072 or of 8 U.S.C. 1324(a).

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 (see 8 U.S.C. 1101(a)(3));
- (2) the term "federal law-enforcement information" means law-enforcement-sensitive information communicated or made available, by the federal government, to a State or local government entity, -agency, or -official, through any means, including, without limitation-- (1) through any database, (2) in connection with any law enforcement partnership or -task-force, (3) in connection with any request for law enforcement assistance or -cooperation, or (4) through any deconfliction (or courtesy) notice of planned, imminent, commencing, continuing, or impending federal law enforcement activity;
- (3) the term "law-enforcement-sensitive information" means records or information compiled for any law-enforcement purpose; and
- (4) the term "public disclosure" means any communication or release other than one--
  - (a) within the recipient, or
  - (b) to any subrecipient (at any tier) that is a government entity.

B. Both the "Rules of Construction" and the "Important Note" set out in the "No use of funds to interfere with federal law enforcement: information-communication restrictions; ongoing compliance" award condition are incorporated by reference as though set forth here in full.

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Signature

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Date

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Printed Name

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Title

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Name of State or Local Government Applicant Entity