

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



Local Law Enforcement Crime Gun Intelligence Center Integration Initiative FY 2020 Competitive Grant Solicitation

CFDA #16.738

Grants.gov Solicitation Number: BJA-2020-17017

Solicitation Release Date: March 12, 2020

Application Deadline: 11:59 p.m. eastern time on May 11, 2020

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for funding to address illegal firearm-related crime and forensics through the establishment of Crime Gun Intelligence Centers ([CGIC](#)). This initiative is a partnership with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to utilize intelligence, technology, and community engagement to swiftly identify crime guns, their sources, and effectively prosecute perpetrators. To learn more view the ATF CGIC Fact Sheet [here](#). The program furthers the Department's mission by assisting state, local, and tribal law enforcement with enhancing their investigative and prosecutorial resources needed to improve their ability to hold violent gun offenders accountable to reduce violent crime.

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

Eligibility (Who may apply):

The following entities are eligible to apply:

- State, local, and tribal law enforcement agencies
- Governmental non-law enforcement agencies
- Federally recognized Indian tribal governments

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

Contact information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, at <https://www.grants.gov/web/grants/support.html>, or at support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must email the contact identified below **within 24 hours after the application deadline** to request approval to submit its application after the deadline. Additional information on reporting technical issues appears under “Experiencing Unforeseen Grants.gov Technical Issues” in the How To Apply (Grants.gov) section in the [OJP Grant Application Resource Guide](#).

For assistance with any unforeseen Grants.gov technical issues beyond an applicant’s control that prevent it from submitting its application by the deadline, or any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 800–851–3420; via TTY at 301–240–6310 (hearing impaired only); email grants@ncjrs.gov; fax to 301–240–5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Deadline Details

Applicants must register with Grants.gov at <https://www.grants.gov/web/grants/register.html> prior to submitting an application. All applications are due by 11:59 p.m. eastern time on May 11, 2020.

To be considered punctual, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. 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.

An applicant must use the **Add Attachment** button to attach a file to its application. Do not click the paperclip icon to attach files. This action will not attach the files to the application. After adding an attachment, select the **View Attachment** button to confirm you attached the correct file. To remove the file, select the **Delete Attachment** button.

OJP encourages all applicants to read this [Important Notice: Applying for Grants in Grants.gov](#). For additional information, see the How to Apply (Grants.gov) section in the [OJP Grant Application Resource Guide](#).

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FY 2020 Local Law Enforcement Crime Gun Intelligence Center Integration Initiative

CFDA # 16.738

A. Program Description

Overview

The Local Law Enforcement Crime Gun Intelligence Center (CGIC) Integration Initiative, administered by BJA in partnership with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), is a competitive grant program that provides funding to state, local, and tribal government entities that are experiencing precipitous increases in gun-related violent crime.

The purpose of this initiative is to support local and tribal jurisdictions' capacity to work with their ATF partners to utilize intelligence, technology, and community engagement to swiftly identify unlawfully used firearms and their sources, and effectively prosecute perpetrators engaged in violent crime.

Statutory Authority: Funding for this program is anticipated under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The JAG Program authorization provides that up to 5 percent of the funds available to carry out subpart 1 of Title I, Part E of the Omnibus Crime Control and Safe Streets Act of 1968 ("Omnibus") may be granted, among other reasons, for one or more of the purposes specified in 34 U.S.C. § 10152 upon a determination that it is necessary "to combat, address, or otherwise respond to precipitous or extraordinary increases in crime, or in a type or types of crime." 34 U.S.C. § 10157(b)(1). See below (Program-specific Information) for information on what constitutes "precipitous or extraordinary" increases in crime.

Awards under this solicitation are made under statutory authority provided by the Consolidated Appropriations Act FY 2020.

Program-specific Information

Priority consideration will be given to jurisdictions with:

- High volumes of nonfatal shootings
- High volumes of firearms-related homicides
- Project Guardian participants
- Demonstrated strong partnerships, including tribes and sheriff offices

The applicant must clearly identify how the applied-for funding will directly address a precipitous or extraordinary increase in violent firearm-related crimes in the applicant's jurisdiction. This could be for the applicant's entire jurisdiction or for a specific part of the jurisdiction. The applicant must identify the following:

- Categories or types of firearm-related crime that have precipitously increased within the jurisdiction
- Period of time during which the relevant category of crime increased

- Number of nonfatal shootings and homicides committed with the use of an illegal firearm¹

Encouraging Program Investments that Coordinate with Project Guardian

Under this program, OJP will give priority consideration in award decisions to applications that demonstrate how this project will directly support Project Guardian, including a letter of interest from their US Attorney. At a minimum, the letter should indicate that the applicant has discussed their plans to apply for this grant with the US Attorney's Office and agreed to regular communication with the Office to determine any potential for collaborative efforts with Project Guardian. For more information regarding Project Guardian, please see <https://www.justice.gov/opa/pr/attorney-general-william-p-barr-announces-launch-project-guardian-nationwide-strategic-plan> or contact the local United States Attorney's office.

The applicant must clearly state whether funding will be used to develop a new CGIC or expand an existing CGIC. The applicant will work with ATF to integrate **CGIC business practices** that include interagency collaboration focused on the immediate collection, management, and analysis of crime gun evidence such as shell casings and test fires of unlawfully used firearms recovered in real time to identify criminal shooters, disrupt criminal activity, and prevent future violence. These business practices include the use of both ATF's eTrace, run by the National Tracing Center, and ATF's National Integrated Ballistics Information Network (NIBIN), and, if available, the NIBIN National Correlation and Training Center (NNCTC).

In August 2018, ATF's National Crime Gun Intelligence Board released a crime gun best practices guide that can be found at: <https://crimegunintelcenters.org/wp-content/uploads/2018/09/CGI-Manual-Best-Practices-ATF-27-AUG-18.pdf>.

For more information about eTrace, contact ATF's National Tracing Center at 1-800-788-7133, extension 01540, or visit the eTrace homepage at <https://etrace.atf.gov/etrace/>.

If selected, the applicant will be required to develop a memorandum of understanding (MOU) with ATF outlining the development of a CGIC or expansion of existing work. The applicant must include a letter of support from the local ATF field office with their application. The ATF Field Divisions listing can be found at <https://www.atf.gov/contact/atf-field-divisions>.

Objective and Deliverables

The primary objective of a CGIC is to develop leads that will identify armed violent offenders for investigation and prosecution, which is why a CGIC must have intensive, timely, ongoing collaboration with ATF, local and tribal police, local crime laboratories, probation and parole, prosecuting attorneys, U.S. Attorneys' Offices (USAOs), crime analysts, community groups, and academic organizations.

Deliverables

Awardees will be required to provide the following deliverables at the conclusion of their grants, in accordance with the BJA/ATF CGIC model:

1. A **collaborative working group**, the CGIC integration team, includes representatives from ATF, local/tribal police, probation and parole, prosecuting attorneys, USAO, local

¹ Prior to award consideration, BJA will verify that the applicants meet these requirements, based on the information provided in their applications and other available crime statistics.

crime laboratory, crime analysts, community groups, and academic organizations. This working group will be formed using an MOU detailing partner roles and responsibilities.

2. A **Crime Gun Intelligence Center business process** utilizing NIBIN and crime gun tracing through eTrace, including purchasing appropriate technology, if necessary. This process includes policy development that governs crime scene response and delivery of forensic evidence to the crime laboratory in a timely fashion, investigative priority for NIBIN cases, and prosecution prioritization.
3. **Effective investigations and prosecutions of violent crime** involving feloniously used firearms.
4. A **comprehensive training program** that provides criminal justice partners with the skills necessary to effectively investigate and prosecute gun crime.
5. **Violent crime prevention strategies** in collaboration with community and nongovernmental organizations.
6. Improved **response to gun shots fired**.
7. **Collection of performance data** that reinforce the CGIC objective.
8. A **final analysis report** describing the program's implementation and outcomes.

The Objective and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed under [What an Application Should Include](#).

OJP Policy Priority Areas

In FY 2020, and in addition to executing any OJP program-specific policy prioritization that may be applicable, priority consideration will be given to applications as follows:

- Applications from federally recognized tribes
- 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 C.
 - 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 D.
 - 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 E.

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

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.

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

Applicants should note that 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 titled Information Regarding Potential Evaluation of Programs and Activities.

B. Federal Award Information

Maximum number of awards BJA expects to make	7
Estimated maximum dollar amount for each award	\$700,000
Total amount anticipated to be awarded under this solicitation	\$5,000,000
Period of performance start date	October 1, 2020
Period of performance duration	36 months

BJA may, in certain cases, provide additional funding in future years to awards made under this solicitation, through continuation awards. In making decisions regarding 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.

Under this solicitation, only one application by any particular applicant entity will be considered. An entity may, however, be proposed as a subrecipient (subgrantee) in more than one application.

BJA may elect to fund applications submitted under this FY 2020 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

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

Type of Award

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 additional information.

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 Requirements² as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See the [OJP Grant Application Resource Guide](#) for additional information.

Budget Information

The applicant should budget for the CGIC integration team (local, state, and tribal members only; federal agencies will be paid through their respective agencies) to attend two 2-day workshops/trainings to take place for peer-to-peer learning at an existing CGIC site during the grant period. All key site team personnel will be expected to attend. These workshops will focus on how to implement the CGIC Integration Initiative's essential elements and key issues concerning gun-related violent crime intelligence, investigations, and prevention.

The applicant must clearly delineate the amount of funding requested for personnel and CGIC integration. The personnel cost could include, but is not limited to, analysts, investigators, detectives, lab staff, prosecutors, and project coordinators.

A limited amount of funds may be used for technology and equipment such as, but not limited to, test-fire equipment, NIBIN machines, analytic software, data collection software, and gunshot detection systems.

If the applicant is not currently using NNCTC, then a portion of the funds must be allotted for processing and correlation.

At least 20 percent of grant funding should be allocated to support the work of local/tribal prosecutors to ensure they are able to track and prioritize CGIC cases. Again, this funding could be used for technology or tools for data collection and analysis. It is critical to track the final outcome of cases generated from both NIBIN and eTrace leads.

BJA may give priority selection consideration to those jurisdictions that have not received CGIC funding support in previous fiscal years, which the applicant should make note of.

Cost Sharing or Match Requirement

This solicitation does not require a match.

² 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.

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

[Pre-agreement Costs \(also known as Pre-award Costs\)](#)

[Limitation on Use of Award Funds for Employee Compensation; Waiver](#)

[Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs](#)

[Costs Associated with Language Assistance](#) (if applicable)

C. Eligibility Information

For eligibility information, see title page.

For information on cost sharing or match requirements, see [Section B. Federal Award Information](#).

D. Application and Submission Information

What an Application Should Include

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: Program Narrative, Budget Detail Worksheet and Budget Narrative.

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

1. Application for Federal Assistance (Standard Form (SF)-424)

The SF-424 is a required standard form used as a cover sheet for submission of preapplications, 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 subject to [Executive Order 12372](#). An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: https://www.whitehouse.gov/wp-content/uploads/2017/11/Intergovernmental_-Review-_SPOC_01_2018_OFFM.pdf. If the applicant's State appears on the SPOC list, the applicant must contact the State SPOC to find obtain information about and comply with the State's process under E.O. 12372. In completing the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19 once the applicant has complied with its State E.O. 12372 process. (An applicant whose State does not appear on the SPOC list should answer question 19 by selecting the response that the: "Program is subject to E.O. 12372, but has not been selected by the State for review.").

2. Project Abstract

Include an abstract that summarizes the proposed project in 400 words or fewer. Project abstracts should be:

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

As a separate attachment, the project abstract will not count against the page limit for the program narrative.

3. Program Narrative

The program narrative must respond to the solicitation (see Overview, Program-specific Information, and Objective and Deliverables on pages 5–6) and the Review Criteria (see pages 13–15) in the order given. The program narrative should be double-spaced, using a standard 12-point Times New Roman font with 1-inch margins, and should not exceed 12 pages. Number pages “1 of 12,” “2 of 12,” etc. Charts and graphs may be included in the narrative, and may be single-spaced and feature smaller fonts as necessary to present the included data.

If the program narrative fails to comply with these length restrictions, BJA may negatively consider such noncompliance in peer review and in final award decisions.

The following sections should be included as part of the program narrative:

- a. Description of the Issue
- b. Project Design and Implementation
- c. Capabilities and Competencies
- d. Plan for Collecting Data Required for this Solicitation’s Performance Measures

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 objective and deliverables identified under "Objective and Deliverables" in [Section A. Program Description](#).

Applicants should visit OJP’s performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

Performance measures for this solicitation are listed in [Appendix A: Performance Measures Table](#). **Tracking of the performance measures listed in Appendix A is essential to demonstrating a successful CGIC program**, and it is important that the applicant describes its capacity to report and analyze the data to utilize it for the development of additional crime strategies.

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

Please note that applicants are **not** required to submit performance data with the application. 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.

Award recipients will be required to provide the relevant data by submitting bi-annual performance metrics as part of their progress reports in General Management System (GMS). To assist applicants in developing their plans for collecting and reporting performance measurement data that will meaningfully evaluate progress, the core performance measures for the Local Law Enforcement Crime Gun Intelligence Center Integration Initiative can be viewed in Appendix A.

Note on Project Evaluations

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

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

4. [Budget Information and Associated Documentation](#) in the “Budget Preparation and Submission Information” section.
5. [Indirect Cost Rate Agreement](#)
6. [Tribal Authorizing Resolution](#) (if applicable)
7. [Financial Management and System of Internal Controls Questionnaire \(including applicant disclosure of high-risk status\)](#)
8. [Disclosure of Lobbying Activities](#)
9. [Applicant Disclosure of Pending Applications](#)
10. [Applicant Disclosure and Justification – DOJ High Risk Grantees](#)³ (if applicable)
11. [Research and Evaluation Independence and Integrity](#)
12. [Disclosure of Process Related to Executive Compensation](#)
13. **Additional Attachments**
 - a. **Timeline**

Attach a project timeline that includes each program objective, activity, expected completion date, and responsible person or organization.
 - b. **Memorandum of Understanding (MOU) with Local ATF Field Office**

The MOU must outline how the applicant will work with the local ATF CGIC to expand upon its work or a letter of support indicating a MOU will be developed.
 - c. **Letter of Support from Chief Executive of the Law Enforcement Agency and Partner Agencies**

Attach a letter of support signed by the chief executive of the applicant law enforcement agency, stating his/her support of the program, and including support from the following agencies: local/tribal prosecutor, parole and probation, and the lab director.

³ 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.

d. Applicant Disclosure of Proposed Subrecipients

Attach a list of proposed subrecipients of grant funding, if applicable, that includes the name, organizational affiliation, and location of the proposed subrecipient entity.

e. Résumés

Attach the résumés of key program staff.

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

g. 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 C. Each such applicant proposing to receive priority consideration for such cooperation with federal law enforcement must sign and submit the certification provided in Appendix C.

h. 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 D. Each such applicant proposing to receive priority consideration for such noninterference with federal law enforcement must sign and submit the certification provided in Appendix D.

i. 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 E. 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 E.

How To Apply (Grants.gov)

Applicants must register in and submit applications through [Grants.gov](https://www.grants.gov), a primary source to find federal funding opportunities and apply for funding. Find information on how to apply in response to this solicitation in the [OJP Grant Application Resource Guide](#).

Registration and Submission Steps

Applicants will need the following identifying information when searching for the funding opportunity on Grants.gov.

1. CFDA#: 16.738, Edward Byrne Memorial Justice Assistance Grant Program

2. Funding Opportunity #: BJA-2020-17017

For information on each registration and submission step, see the [OJP Grant Application Resource Guide](#).

E. Application Review Information

Review Criteria

Applications that meet basic minimum requirements will be evaluated by peer reviewers using the following review criteria:

1. Description of the Issue (10 percent)

The applicant must demonstrate it is experiencing a precipitous increase in violent firearm-related crime. The applicant must:

- a. Identify a firearm-related violent crime or type(s) of violent crime that has precipitously increased within the jurisdiction.
- b. Identify the period of time during which the relevant category of crime increased.

Provide sources substantiating the claimed increase such as statistics, research findings, or other objective evidence, as appropriate. The applicant must demonstrate in the application how it meets this criterion by providing an overview of the violent crime problem and gun related crime problem in the jurisdiction. The applicant must document both Uniform Crime Report (UCR) and population data. The applicant must describe how its jurisdiction has experienced a precipitous increase in violent crime over the past year and the challenges associated with said increase.

2. Project Design and Implementation (40 percent)

The applicant must detail how it will dedicate resources to implement the objective and essential elements of the CGIC model in order to create a comprehensive approach to addressing violent crime and felonious firearm use in its jurisdiction. Additionally, the applicant must detail how it will implement the deliverables listed in the Program-specific Information section. The applicant should detail how it will work with specific law enforcement entities, probation and parole, crime laboratory, community organizations, and other stakeholder groups within the jurisdiction to ensure new policies and procedures are implemented that ensure the immediate collection, management, and analysis of illegal gun-related evidence, such as shell casings, in real time in an effort to identify shooters, disrupt criminal activity, and prevent future violence.

The applicant should specifically describe how its jurisdiction will meet the following criteria:

- Use a NIBIN machine that would support timely entry of all firearm-related evidence casings and test-fire casings, correlations, lead generation, and lead notification (or if the jurisdiction has a preexisting lab, please make reference to it).
- Utilize the ATF NNCTC to review NIBIN entries and determine NIBIN hits, if available. Requests to join the NNCTC must be made through your local ATF field office.
- All CGIC-participating local or tribal law enforcement agencies are expected to detail a task force officer (TFO) to the local ATF field office to be assigned to ATF enforcement groups or, if the ATF is the primary CGIC coordinator, directly to the CGIC. The TFO should partner with ATF agents to conduct NIBIN- and eTrace-related investigations, target NIBIN/eTrace offenders, develop and analyze NIBIN/eTrace intelligence, and assist ATF with firearms trafficking and straw purchase investigations.

- Establish ATF eTrace account(s) by which the jurisdiction traces recovered crime guns. (If your department does not have an existing account, please contact your local ATF field office, which can assist in establishing an account.)
- Develop a process for comprehensive crime gun tracing.
- Demonstrate a partnership with the appropriate district attorney's office (or office responsible for prosecuting criminal cases in the proposed CGIC area) and work with the ATF to get a commitment from the USAO to strategically accept and prosecute cases coming from the CGIC program. (Letters of support from these offices will strengthen the application and can be included as attachments.)
- Through an MOU, demonstrate commitment to process firearm evidence with the appropriate crime lab following the required timeframes consistent with the CGIC model.

The applicant must describe specifically how the project will be accomplished by providing the expected objective and the performance measures applicable to this program. Include a comprehensive timeline (as an attachment) that identifies milestones, numerically lists deliverables, and identifies who is responsible for each activity.

The application should clearly describe how the crime laboratory will accomplish the following:

- Comprehensive collection of evidence
 - Evidence from all shooting incidents accepted for entry and correlation
 - Routine NIBIN entry must be free from fee-for-service restrictions
 - Policies and procedures must be in place to minimize latent print and DNA demands on routine submittals for NIBIN entry only
- Timeliness
 - Streamline NIBIN-only cases to allow for lead notifications to be issued within 24–48 hours from evidence submission by using:
 - Evidence intake procedures that minimize administrative time required for submitted evidence
 - Technician input of shooting evidence and test fires prior to full firearm examination
 - Release of unconfirmed NIBIN leads to the CGIC team
 - Establish the following priority of evidence submissions into NIBIN:
 - Current/recent fired cartridge casing evidence
 - Current/recent on test fires of crime guns
 - Backlogged fired cartridge casing evidence
 - Backlogged test fires of crime guns
- Follow-up
 - Establish policies and procedures that ensure notifications are disseminated timely and effectively. Ideally, they could be fed to a single liaison who would ensure all interested parties are notified.
- Feedback loop
 - Conduct monthly review meetings with stakeholders.
 - Establish means of feedback to the NIBIN site.

- Establish a policy requiring successes to be communicated to the NIBIN site for dissemination.

3. Capabilities and Competencies (25 percent)

Fully describe the capabilities and competencies of the law enforcement agency to achieve the program objective and deliverables. The applicant must demonstrate capacity to develop and implement new policies and procedures within its jurisdiction and collaborate with various stakeholders from forensic, law enforcement, and community organizations to improve law enforcement's management of, and response to, violent crime involving a firearm.

Describe the level of agency executive support for the project and the nature and extent of involvement by command staff in the project.

Describe the capabilities and competencies of the individual(s) responsible for tracking the performance measures and the overall program accomplishments.

The applicant must clearly detail the expected or established structure of the collaborative team. Include a list of key team members and describe the role of each team member. The applicant should identify the lead agency for this effort and outline its role and the plan for coordination among agencies. The applicant must designate and discuss the responsibilities of the team lead for this project, who will serve as the central point of contact for the site team.

4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (10 percent)

Describe the process and methods for evaluating project performance. Identify who will collect the data; who is responsible for performance and outcome measurement; and how the information will be used to guide and evaluate the impact of the program. Describe the process to accurately report implementation findings.

5. Budget (10 percent): complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the objective of the project.⁴ The budget narrative should include what is outlined in the Program-specific section on pages 4-6 and account for the requirements listed in the Budget Information section on page 8. **At least 20 percent of grant funding should be allocated to support the work of the local/tribal prosecutors**, as described earlier in this solicitation. This funding could be used for technology or tools to collect data for analysis. It is critical to track the final outcomes of cases generated from both NIBIN and eTrace leads.

6. Sustainability Planning (5 percent)

Describe how the applicant will sustain their support of the Crime Gun Intelligence Center, violent crime reductions, organizational changes, research partnerships, and other collaborations established or achieved during the program once federal funding support ends.

⁴ Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

Review Process

BJA reviews an application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation requirements.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. For purposes of assessing whether an application meets basic minimum requirements and should proceed to further consideration, OJP screens applications for compliance with those requirements. 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.

For a list of the application elements that **MUST** be included in the application submission in order for an application to meet the basic minimum requirements, see “What an Application Should Include” under Section D. Application and Submission Information.

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJA may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation's review criteria. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well versed or has expertise in the subject of this solicitation. Peer reviewers' ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully.

Other important considerations for BJA include geographic diversity, strategic priorities (specifically including, but not limited to, those mentioned above relating to 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), potential project sustainability factors, available funding, and the extent to which the Budget Detail Worksheet and Budget Narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

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 nonpublic segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

Important note on FAPIIS: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding

agency. OJP will consider 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 recommendations, but also other factors as indicated in this section.

F. Federal Award Administration Information

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

Federal Award Notices

Administrative, National Policy, and Other Legal Requirements

OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions prior to submitting an application.

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

General Information About Post-Federal Award Reporting Requirements

In addition to the deliverables described in [Section A. Program Description](#), 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, 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.

G. Federal Awarding Agency Contact(s)

For OJP contact(s), see page 2.

For contact information for Grants.gov, see page 2.

H. Other Information

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

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

[Provide Feedback to OJP](#)

Appendix A: Performance Measures Table

Objective	Performance Metrics	Data Grantee Provides
<p>Develop analytical support to improve police response to gunshots fired utilizing report management systems (RMS), eTrace, and other technology.</p>	<p>Number of crime analysts assigned to the CGIC program</p> <p>Percentage of gunshot detection system alerts prompting a police response to the scene</p> <p>Percentage of gunshot detection system alerts resulting in shell casings recovered at the scene</p>	<p>Number of combined full-time and part-time crime analysts assigned to the CGIC program</p> <p>Number of gunshot detection system alerts</p> <p>Number of alerts prompting a police response to the scene</p> <p>Number of cartridge casings recovered</p>
<p>Collaborate with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to investigate linked shooting incidents by ensuring that every crime gun recovered is accurately submitted to the ATF National Tracing Center (NTC).</p>	<p>Number of crime gun submissions to the ATF NTC that returned trace results</p> <p>Number of policies or procedures adopted as a result of the CGIC program</p> <p>Percentage of CGIC cases closed by arrest or exceptional means</p>	<p>Number of crime guns recovered</p> <p>Number of successful crime gun submissions to ATF NTC</p> <p>Number of crime gun trace requests that were not able to be successfully processed</p> <p>Number of new policies or procedures adopted as a result of the CGIC program</p> <p>Number of new cases referred to the CGIC investigative team</p> <p>Number of new cases cleared by arrest or exceptional means</p>
<p>Support and promote collaborative partnerships with multiple agencies to ensure the effective</p>	<p>Percentage of CGIC investigations resulting in the identification of a suspect</p>	<p>Number of new suspects identified</p> <p>Number of new suspects arrested</p>

Objective	Performance Metrics	Data Grantee Provides
prosecution of CGIC cases.	<p>Percentage of suspects in CGIC cases who are arrested</p> <p>Percentage of suspects arrested in CGIC cases who are prosecuted</p> <p>Percentage of prosecuted defendants in CGIC cases who are convicted</p>	<p>Number of new defendants charged</p> <p>Number of new defendants convicted</p>
Ensure CGIC sustainability through MOUs with partners and continuing education/outreach with potential future partners.	<p>Number of active partners</p> <p>Percentage of active partners with an MOU in place</p> <p>Number of trainings conducted to support the CGIC program</p>	<p>Number of active partners</p> <p>Number of active partners with an MOU in place</p> <p>List CGIC partners with a brief description of each</p> <p>Number of trainings conducted</p>

Appendix B: Application Checklist

Local Law Enforcement Crime Gun Intelligence Center Integration Initiative

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

What an Applicant Should 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 (see [OJP Grant Application Resource Guide](#))
- Access Funding Opportunity and Application Package (see [OJP Grant Application Resource Guide](#))
- Sign up for Grants.gov email [notifications](#) (optional) (see [OJP Grant Application Resource Guide](#))
- Read [Important Notice: Applying for Grants in Grants.gov](#)
- Read OJP policy and guidance on conference approval, planning, and reporting available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm (see [OJP Grant Application Resource Guide](#))

After Application Submission, Receive Grants.gov Email Notifications That:

- (1) application has been received
- (2) application has either been successfully validated or rejected with errors (see [OJP Grant Application Resource Guide](#))

If No Grants.gov Receipt, and Validation or Error Notifications are Received:

- Contact BJA regarding experiencing technical difficulties (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 2020 Awards](#)" in the [OJP Funding Resource Center](#).

Scope Requirement:

- The federal amount requested is within the allowable limit of \$700,000.

Eligibility Requirement: The following entities are eligible to apply:

- State, local, and tribal law enforcement agencies
- Governmental non-law enforcement agencies
- Federally recognized Indian tribal governments

What an Application Should Include:

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.

- Program Narrative (see page 10)
- Budget Detail Worksheet and Budget Narrative (see [OJP Grant Application Resource Guide](#))
- Application for Federal Assistance (SF-424) (see [OJP Grant Application Resource Guide](#))
- Intergovernmental Review (see page 9)
- Project Abstract (see page 9)
- Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
- Tribal Authorizing Resolution (if applicable) (see [OJP Grant Application Resource Guide](#))
- Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))
- Disclosure of Lobbying Activities (SF-LLL) (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure of Pending Applications (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable) (see [OJP Grant Application Resource Guide](#))

Additional Attachments:

- Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))
- Disclosure of Process Related to Executive Compensation (see [OJP Grant Application Resource Guide](#))
- Request and Justification for Employee Compensation; Waiver (if applicable)
(see [OJP Grant Application Resource Guide](#))
- Time Line (see page 11)
- Letter of Support from chief executive of the law enforcement agency and partner agencies (see page 11)
- MOU with the local ATF field office (see page 11)
- Applicant Disclosure of Subrecipients (see page 12)
- Résumés (see page 12)
- Certifications regarding enhancing criminal justice and public safety through law-enforcement-related award conditions (if applicable) (see page 12)
- Certification regarding Cooperation with Federal Law Enforcement (if applicable) (see page 12)
- Certification regarding Noninterference with Federal Law Enforcement (if applicable) (see page 12)
- Certification regarding Nondisclosure of Federal Law-Enforcement Information (if applicable) (see page 12)

Appendix C

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 D

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 E

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.

Signature

Date

Printed Name

Title

Name of State or Local Government Applicant Entity