

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



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## **Safeguarding Correctional Facilities and Public Safety by Addressing Contraband Cellphones Program FY 2020 Competitive Grant Solicitation**

CFDA # 16.844

**Grants.gov Solicitation Number:** BJA-2020-18018

**Solicitation Release Date:** March 10, 2020

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

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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP) [Bureau of Justice Assistance](#) (BJA) is seeking applications to enhance, test, implement, and evaluate policies, practices, and technology to address and reduce the use of contraband cellphones in correctional facilities. This program furthers the Department's mission by reducing violence and enhancing public safety.

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):

Eligible applicants are:

- States
- Units of local government
- Federally recognized Indian tribes that perform law enforcement functions (as determined by the Secretary of the Interior)

All recipients and subrecipients 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](mailto: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](mailto: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 timely, 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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# Safeguarding Correctional Facilities and Public Safety by Addressing Contraband Cellphones Program

## CFDA #16.844

### A. Program Description

#### Overview

The purpose of this program is to assist state and local governments, including federally recognized Indian tribes that serve a law enforcement function, protect against contraband cellphone use in correctional facilities. This program furthers the Department's mission by reducing violence and enhancing public safety.

**Statutory Authority:** Any awards under this solicitation will be made under statutory authority provided by the Consolidated Appropriations Act, 2020, Pub. L. No. 116-93, 133 Stat 2317, 2407.

#### Project-specific Information

These site-based awards are for state and local governments, including federally recognized Indian tribes that serve a law enforcement function, to operationalize effective and secure managed access systems in correctional settings to prevent, detect, seize, and stop the presence and use of contraband cellphones by detainees and inmates. Jurisdictions will be expected to test, implement, and document changes to policy, practice, and tactics as they relate to preventing, detecting, seizing, and stopping the presence and use of contraband cellphones by detainees and inmates.

Applicants may propose to enhance or implement new physical, technical, and/or tactical managed access systems to prevent, detect, and respond to cellphone contraband use in correctional facilities. Applicants are encouraged to identify strategies to educate relevant staff members and other key stakeholders about steps they can take to address contraband cellphones, and to define a process to gather, use, and share intelligence as a result of seizing contraband cell phones.

#### Objectives and Deliverables

The funding available in this program will support assistance to state and local correctional agencies, as well as federally recognized Indian tribes that perform law enforcement functions, to develop and implement managed-access systems, including strategies, training of correctional staff, developing operational orders, and establishing policies to seize and end the use of cellphone contraband. Applicants are encouraged to focus on:

1. Identifying micro-jamming systems that halt inmates' calls without disrupting services in the surrounding area, including those used by first responders
2. Ensuring state, local, and tribal governments are in compliance with the Federal Communications Commission and other laws governing the interception of electronic communications, including the rules that criminalize actions aimed at disabling aircraft
3. Providing technological solutions to detect and disrupt drones

#### Objectives:

- Test, implement, and measure managed access systems, as well as share strategies to reduce the presence and use of contraband cellphones in correctional facilities.

#### Deliverables:

- A final report that outlines the use of federal funds, the implementation process, costs, outcomes (e.g., number of contraband cellphones confiscated, impacts on correctional staff such as less disruptions, and any other outcomes you feel resulted from this program), and a sustainability plan

The Objectives 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 program-specific prioritization that may be applicable, OJP will give priority consideration to applications as follows:

- Applications from federally recognized tribes
- Where the application is from a state or local government entity that operates at least one correctional facility (as defined at 34 U.S.C. 10251(a)(7)), applications that go to enhancing criminal justice and public safety by indicating agreement to comply with award conditions related to cooperation with federal law enforcement, as set forth in Appendix C.

To receive priority consideration for enhancing criminal justice and public safety by agreeing to comply with award conditions related to cooperation with federal law enforcement, 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.

#### **Evidence-based Programs or Practices**

OJP strongly emphasizes the use of data and evidence in policy making 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](#).

For information related to implementation science, applicants may wish to refer to the [National Implementation Research Network](#) website.

#### **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	4
Estimated maximum dollar amount for each award	up to \$400,000
Total amount anticipated to be awarded under this solicitation	\$1,700,000
Period of performance start date	October 1, 2020
Period of performance duration	24 months

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.

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 Requirements<sup>1</sup> 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

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

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

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

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<sup>1</sup> 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.

## Cost Sharing or Matching Requirement

This solicitation does not require a match.

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, Letter of Support from the Lead Agency Executive, Letter of Support from the Responsible Government Procurement Agency Executive, Disclosure of Proposed Subrecipients, Timeline, and Résumés/Curricula Vita of Key Personnel.

See the Application Elements and Formatting Instructions section of the [OJP Grant Application Resource Guide](#) for information on what happens to an application that does not contain all of the specified elements or that is nonresponsive to the scope of the solicitation. **This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the “Disclosure of Process Related to Executive Compensation” provisions in the “Application Attachments” section of the OJP Grant Application Resource Guide.**

### 1. Application for Federal Assistance (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 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.”)

### 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.
- **Clearly labeled, including the following information:**
  - Legal name of the grant recipient and the title of the project
  - Indicate whether the applicant jurisdiction has entered into any contracts to combat cellphone contraband within the past 5 years.
  - Project’s purpose, objectives, and deliverables

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 and the Review Criteria (1–5 on pages 12–13) in the order given. The program narrative must be double-spaced, using a standard 12-point Times New Roman font with 1-inch margins, and must not exceed 20 pages. Please number pages “1 of 20,” “2 of 20,” etc. If the program narrative fails to comply with these length-related 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 the 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 objectives and deliverables identified under "Objectives and Deliverables" in [Section A. Program Description](#).

Applicants should visit OJP’s performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) for an overview of performance measurement activities at OJP.

Examples of the types of performance and accountability data that will be required can be found in [Appendix A: Performance Measures Table](#). BJA is currently developing the performance measures for this program and they will be shared with grantees upon acceptance of their awards. 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 measures as part of their progress reports in the Grants Management System (GMS).

**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)

The following two paragraphs in this solicitation expressly modify the “Tribal Authorizing Resolution” provisions in the [OJP Grant Application Resource Guide](#). An applicant is to follow the guidance in these two paragraphs instead of the guidance stated under the “Tribal Authorizing Resolution” heading in the Guide.

An application in response to the solicitation may require inclusion of information related to a tribal authorizing resolution. A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

An applicant unable to submit an application that includes a fully executed (i.e., signed) copy of legal appropriate documentation, as described above, consistent with the applicable tribe’s governance structure, should submit an unsigned, draft version of such legal documentation as part of its application (except for cases in which, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, OJP will make use of and access to award funds contingent on receipt of the fully executed legal documentation.

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](#)<sup>2</sup> (if applicable)

11. [Research and Evaluation Independence and Integrity](#)

12. **Additional Attachments**

- a. **Certification Regarding Enhancing Criminal Justice and Public Safety through 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.
- b. **Letter From Lead Agency Executive** demonstrating agency commitment to the project.
- c. **Letters of Support From All Other Key Partners (if applicable)** detailing the commitment to work with the applicant to promote the mission of the project.
- 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. **Timeline/Project Plan** outlining key tasks, benchmarks, and persons or entities responsible.
- f. **Position Descriptions** for key roles. A position description should relate to the role on the proposed project, not the person's role within the applicant organization, and describes the critical competencies and expectations regarding the project responsibilities.
- g. **Résumés or Curricula Vita (CVs)** for key personnel. Applicants may combine position descriptions and résumés or CVs into a single document; however, please note that they are one of the critical elements for an application. Applications that do not include these will neither proceed to peer review nor receive further consideration by BJA.

**How To Apply**

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. CDFA #16.844, Combatting Contraband Cell Phone Use in Prisons**

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<sup>2</sup> 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.

## 2. Funding opportunity # BJA-2020-18018

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 (15 percent)

- Provide an overview of, including data to support, what is currently known about the extent of the jurisdiction's/facility's problems with contraband cellphones.
- Describe the current security method, policy, and training to prevent and detect contraband cellphone use.
- Discuss any history of cellphone contraband use by detainees or inmates, as well as any perceived challenges with staff.

#### 2. Project Design and Implementation (30 percent)

- Address in detail how the applicant proposes to undertake and accomplish the objectives and deliverables (see pages 5–6).
- Address the permissions/agreements that need to be in place to test or fully implement the proposed activities.
- Address how staff will be educated and informed about the proposed activities.
- Address how the proposal supports intelligence gathering from detected and seized cellphones and how that information will be used and shared appropriately.
- Include a timeline/project plan that reflects a 6-month action planning period, 12-month implementation period, and a 6-month post-implementation period; the major tasks and deliverables of the proposed project; and who is responsible for each activity, including the procurement functions. Successful applicants will be expected to have the staffing and other needed supports in place by the end of the planning period so they can begin addressing the primary project activities at the start of the implementation period.
- In addition to attachments such as letters from the lead agency executive and other key partners (if applicable), provide a written demonstration of the jurisdiction's commitment to making a shift to operationalize this public safety initiative.

#### 3. Capabilities and Competencies (20 percent)

- Provide a detailed description of the capacity of the organization and the key personnel to conduct the deliverables and perform the key tasks.
- Describe how the proposed management structure and staffing of the project will facilitate the deliverables. The management and organizational structure described should match the staffing needs necessary to accomplish the tasks outlined in the timeline/project plan. Information about the personnel assigned to these tasks and

whether their résumés and role descriptions are included (see page 11) will contribute to the assignment of points to this criterion.

- Applicants must research and address whether any external permissions are required for the proposed activities to occur, including permissions from the Federal Communications Commission, cellphone carriers, and/or other state or local government entities.
- All proposals must address how staff will be trained regarding the proposed activities.
- Proposals should also address intelligence gathering from detected and seized cellphones and how that information will be used and shared appropriately.

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

- Describe the manner in which the data required for this solicitation's performance measures will be collected, including the system(s) used and the person(s) responsible.
- Describe whether and how other relevant performance measures will be documented and incidents recorded by agency leadership.

#### **5. Budget (10 percent)**

- Submit a budget that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).
- Budget narratives should demonstrate generally how the applicant will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the objectives of the project.<sup>3</sup>

#### **6. Impact/Outcomes, Sustainability (15 percent)**

- Discuss the ability of the jurisdiction to operationalize and sustain the project.
- Describe how the project will be financially sustained after the federal funding ends.

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

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

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<sup>3</sup> 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.

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.

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), 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.

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](#)**

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. 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 A.	Test, implement, measure, and share strategies to reduce the presence and use of contraband cellphones in correctional facilities
Performance measures	<ul style="list-style-type: none"> <li>• Percentage of facilities that have implemented the new technology</li> </ul>
Questionnaire questions (data grantee provides)	<ul style="list-style-type: none"> <li>• Please select the types of facilities your agency operates. Select all that apply: <ul style="list-style-type: none"> <li>○ Prison</li> <li>○ Jail</li> <li>○ Lockup</li> <li>○ Juvenile facility</li> <li>○ Community confinement facility</li> <li>○ Other, describe</li> </ul> </li> <li>• Please enter the total number of facilities your agency operates. Please exclude any facilities that are operated under contract. <b>The intent of this question is to report the total number of distinct facilities that your agency operates. Colocated facilities should be counted separately if they are operated as distinct facilities (e.g., a community confinement facility colocated with a jail).</b></li> <li>• Are you using your grant to fund a technology-based pilot, implementation, or enhancement to improve your organization's operations (or your program)?  <b>Answer once. Update only as needed. Note: A technology-based pilot, implementation, or enhancement can range widely from recent technology innovations used in policing or forensics to office-based software or hardware that improves data-driven decisionmaking or business operations.</b> <ul style="list-style-type: none"> <li>○ Yes (If Yes, for each type of technology, answer the following questions.)</li> <li>○ No (If No, skip this section.)</li> </ul> </li> <li>• List the type(s) of technology used during the reporting period; example: surveillance cameras</li> <li>• Describe how the technology functions or how it will be used.</li> <li>• During the reporting period, was new technology purchased at least partially using BJA program funds? <ul style="list-style-type: none"> <li>○ Yes/No</li> <li>○ If yes, please describe the technology capabilities</li> </ul> </li> <li>• Please enter the date that the new technology solution was implemented (e.g., rolled-out live) within the facility(ies).</li> <li>• Please describe any other strategies, policies, or procedures that were implemented to reduce the present and use of contraband cellphones. <b>Answer once. Update only as needed.</b></li> <li>• Since the program was implemented (i.e., new technology, strategies, policies, or procedures) please provide data on the following outcomes (only provide data items that you are actively tracking). <ul style="list-style-type: none"> <li>○ Number of contraband cellphones confiscated during the reporting period</li> <li>○ Number of drones disrupted</li> </ul> </li> <li>• Please describe any other impacts (positive or negative) that this program has demonstrated (e.g., thwarted plans/schemes due to intelligence gathered). <b>Update on a quarterly basis.</b></li> </ul>



## Appendix B: Application Checklist

### Safeguarding Correctional Facilities and Public Safety by Addressing Contraband Cellphones Program

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 the [OJP Grant Application Resource Guide](#))

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

- Contact BJA regarding experiencing technical difficulties (see page 2)

#### Overview of Post-Award Legal Requirements:

- Review the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2020 Awards](#).

**Scope Requirement:** The federal amount requested is within the allowable limit for the category.

**Eligibility Requirement:** Eligible applicants are state governments, units of local governments, and federally recognized Indian tribal governments (as determined by the Secretary of the Interior).

**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 9)
- Budget Detail Worksheet (including Narrative) (see [OJP Grant Application Resource Guide](#))
- Timeline/Project Plan (see page 11)
- Letter from Lead Agency (if applicable) (see page 11)
- Letter from Responsible Government Procurement Agency Executive (see page 8)
- Applicant Disclosure of Proposed Subrecipients (see page 11)
- Résumés or curricula vita for key personnel (see page 11)

- Application for Federal Assistance (SF-424) (see [OJP Grant Application Resource Guide](#))
- 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 (see [OJP Grant Application Resource Guide](#))
- Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))

**Additional Attachments:**

- Certifications regarding enhancing criminal justice and public safety through award conditions on cooperation with federal law enforcement (if applicable) (see page 11 and Appendix C)
- Request and Justification for Employee Compensation; Waiver (if applicable) (see page 8)

- Other Letters of Support
- Position Descriptions

(see page 11)  
(see page 11)

## 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