

**Supporting Innovation: Field-Initiated Programs to Improve
Officer and Public Safety
FY 2018 Competitive Grant Announcement**

July 31, 2018

The application deadline for this funding opportunity has been extended to August 6, 2018.

Thank you for your attention to this change.

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



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for funding to support innovative field-driven projects to address current critical officer and public safety issues. This initiative furthers the Department's mission by supporting state, local, and tribal criminal justice practitioners to reduce violent crime, improve public safety, and combat the opioid epidemic. In addition, this program is part of the Project Safe Neighborhoods (PSN) Suite of programs, which is focused on reducing violent crime.

Supporting Innovation: Field-Initiated Programs to Improve Officer and Public Safety FY 2018 Competitive Grant Announcement Applications Due: August 6, 2018

Eligibility

Category 1: Eligible applicants are limited to state and local government agencies (including territories), nonprofit and for-profit organizations (including tribal nonprofit and for-profit organizations), and federally recognized Indian tribal governments (as determined by the Secretary of the Interior).

Category 2: Eligible applicants are limited to nonprofit organizations, for-profit organizations (including tribal nonprofit or for-profit organizations), institutions of higher education (including tribal institutions of higher education), faith-based organizations, and consortiums with demonstrated experience in addressing public safety challenges. This includes, but is not limited to, entities active in prevention, enforcement, prosecution, and intervention strategies.

For all categories:

- An applicant may submit more than one application for consideration. All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.
- BJA welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees).¹ The applicant must be the entity that would have primary

¹ For additional information on subawards, see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

responsibility for carrying out the award, including administering the funding and managing the entire program.

- BJA may elect to fund applications submitted under this fiscal year (FY) 2018 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

In addition, as discussed below, to the extent the applicant is a state or local government entity, in order to validly accept this award, the chief legal officer of that jurisdiction must properly execute, and the applicant must submit, the specific certifications regarding compliance with certain federal laws. (Note: this requirement does not apply to Indian tribal governments.) (See Appendices D and E)

Deadline

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 5:00 p.m. eastern time on August 6, 2018.

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.

This deadline does not apply to the receipt of certifications regarding compliance with certain federal laws (See Appendices D and E). As explained below, an applicant that is either a state or local government entity may not validly accept an award unless those certifications are submitted to the Office of Justice Programs (OJP) on or before the day the applicant submits the signed award acceptance documents.

OJP encourages all applicants to read this [Important Notice: Applying for Grants in Grants.gov](#).

For additional information, see [How To Apply](#) in Section D. Application and Submission Information.

Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726, 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](#) section.

For assistance with any other requirements 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.

Grants.gov number assigned to this solicitation: BJA-2018-13573

Release date: June 27, 2018

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Supporting Innovation: Field-Initiated Programs to Improve Officer and Public Safety

CFDA #16.738

A. Program Description

Overview

To further the Administration's commitment to locally-driven public safety solutions and to being responsive to critical emerging issues, BJA is seeking applications for **Supporting Innovation: Field-Initiated Programs to Improve Officer and Public Safety**. BJA has created this program to launch a robust and creative grant funding stream for the field. **Supporting Innovation** invites applicants to develop and test solutions that will improve officer and public safety and save lives. Lessons learned from these projects can serve as models for the nation's criminal justice system regarding reducing violent crime, including violent crime related to tribes and tribal members, and addressing the nation's opioid epidemic.

This solicitation invites state, local and tribal law enforcement, prosecutors, and other criminal justice practitioners to pilot, assess, and implement original approaches that target emerging or chronic crime problems facing the country and placing our officers and public at risk. Applications under this program must present novel solutions and not duplicate other BJA-funded initiatives. This approach enables BJA to assist large, small, tribal, urban and rural jurisdictions solutions and to work directly with the field in support of their leading-edge efforts.

Supporting Innovation is part of the Project Safe Neighborhoods (PSN) Suite of programs, which is focused on reducing violent crime.² Initiatives funded under the PSN suite will coordinate proactively with the PSN team in the respective district of the United States Attorney's Office (USAO) to enhance collaboration and strengthen the commitment to reducing violent crime. Priority consideration will be given to applicants that explain how they would address their identified problem through cooperation with federal immigration authorities. See page 30 for more details.

Statutory Authority

This program is largely funded under the "reserved funds" section (34 U.S.C. § 10157(b)(1),) of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The "reserved funds" section provides that up to 5 percent of the funds available to carry out the JAG Program may be granted for one or more of the purposes specified at 34 U.S.C. § 10152 upon a determination that such a grant is necessary "to combat, address, or otherwise respond to precipitous or extraordinary increases in crime, or in a type or types of crime." Additional authority for awards under this solicitation is provided by the Consolidated Appropriations Act, 2018, 132 Stat. 348, 426.

² The PSN Suite comprises PSN, Strategies for Policing Innovation, Supporting Innovation: Field-Initiated Program to Improve Officer and Public Safety, Innovative Prosecution Solutions, Crime Gun Intelligence Centers, National Public Safety Partnership, Technology Innovation for Public Safety, Innovations in Community-Based Crime Reduction, and Community Based Violence Prevention Demonstration.

Program-specific Information

The FY 2018 Supporting Innovation: Field-Initiated Programs to Improve Officer and Public Safety solicitation reflects the Administration's commitment to address critical and emerging public safety issues identified by law enforcement, prosecutors, and other criminal justice practitioners working in the field. BJA values the expertise and on-the-ground knowledge that practitioners bring to this work. BJA also recognizes that such practitioners are often in the best position to identify and test new ideas and approaches for responding quickly to emerging issues or precipitous increases in crime. Innovative approaches to augment officer safety will simultaneously strengthen public safety.

Lessons learned from these projects can serve as models for the nation's criminal justice system regarding the reduction of violent crime, including violent crime related to tribes and tribal members, and addressing the nation's opioid epidemic. Both escalating violent crime and the opioid epidemic jeopardize law enforcement officers and public safety. A key aspect of this field-initiated approach is to develop field-tested and user-friendly tools that may be replicated in jurisdictions nationwide. Practitioners are encouraged to leverage partnerships with local researchers, if applicable, to support this process. Projects funded under this solicitation should result in the development of materials, curricula, and other tools that can not only build local capacity but also demonstrate innovative crime reduction strategies in the field.

Proposals must put forward an approach that has not yet been widely implemented, or a new modification to an existing strategy; or one which responds to a critical gap in the knowledge base, such as responding to an emerging violent crime issue and/or a precipitous increase in violent crime. BJA will carefully review strategies proposed under this solicitation to ensure that they do not respond to objectives described in other BJA solicitations for FY 2018.³ Proposals that do not meet these program elements will not be considered for funding.

Supporting Innovation invites applicants to develop and test solutions that will improve officer and public safety and save lives in one or more of the following focus areas:

- Initiatives that address precipitous increases in crime. This includes combatting, addressing, or otherwise responding to precipitous or extraordinary increases in crime or in a type of crime at the state, local, or tribal level, especially violent crime, with strategies that enhance capacity to track, identify, and quickly respond to these crime issues.
- Strategies that address the needs created by violent crime related to tribes and tribal members.
- Projects that support innovative cooperative efforts between federal, state and local law enforcement to identify and prevent violent crime committed by criminal aliens.

³ Please note that program funding for this and other BJA FY 2018 grants is subject to the availability of appropriations and potential legislative changes to statutory requirements; applicants are strongly encouraged to consult the DOJ Program Plan website to monitor said availability. The information provided by DOJ is based on projected operational plans and may be updated frequently, including the addition, substitution, or cancellation of projected solicitations without advance notice. Applicants should also note that the DOJ Program Plan includes data on funding opportunities from all DOJ grant-making components, and is not limited to BJA. The DOJ Program Plan web page can be filtered by grant-making component or office, keywords, eligible applicants, categories and subcategories, and expected release date.

Objectives and Deliverables

The objectives of the Supporting Innovation: Field-Initiated Programs to Improve Officer and Public Safety are to (1) support efforts by state, tribal, or local criminal justice practitioners to pilot, assess, and implement original approaches that target emerging or chronic crime problems that jeopardize law enforcement officers and public safety; and (2) to support practitioners in sharing this project-based knowledge and lessons learned with their peers in the field.

Category 1: State, Local, and/or Tribal Innovations (Competition ID: BJA-2018-13994)

Projects funded under Category 1 will be **site-based** and will support the creation and implementation of strategies in the field at the state, local, or tribal level that address violent crime and improving officer and public safety.

As part of the award, applicants will document their concept and its outcomes so that others can learn from their innovation. Applicants are encouraged to show how they can create and pilot tools such as training curricula, toolkits, articles, videos, program assessments/evaluations, policy-relevant documents, and guidebooks that can be used by others in the field to replicate the success of the project. To that end, the applicant may work with a research partner to document implementation and to develop tools to support replication.

If the applicant decides to collaborate with a researcher, note that the research partner should have demonstrated expertise conducting the type of work proposed.⁴

Category 2: National or Regional Resources (Competition ID: BJA-2018-13995)

Projects funded under Category 2 will support developing **targeted national or regional** strategies that advance innovative approaches with the potential to address a critical need or gap in the field, consistent with the overall objectives of the solicitation. These large scale projects must document how they will be used to benefit the field by offering assessments, tools, products, or research or evaluation results that will facilitate implementation or replication on a national scale. Regional projects must be designed as a model that is specific to a regional need, or could be implemented effectively regionally and replicated elsewhere.

Tools and materials such as assessments, program manuals, program assessments/evaluations, research reports, articles, training curricula, policy-relevant documents, guidebooks, and toolkits should be developed for use by other criminal justice practitioners and policymakers.

For Categories 1 and 2: Projects must develop and test solutions that will improve officer and public safety and save lives in one or more of the following focus areas:

- Initiatives that address precipitous increases in violent crime, including but not limited to gang violence and gun crimes. This includes combatting, addressing, or otherwise responding to precipitous or extraordinary increases in violent crime or in a type of crime at the state, local, or tribal level, with strategies that enhance capacity to track, identify,

⁴ As part of BJA's Innovation Suite, applicants under Category 1 of the Field-Initiated Programs may invest in the development of practitioner-researcher partnerships that use data, evidence, and innovation to create strategies and interventions that are effective and make America safer. This data-driven approach enables jurisdictions to understand the full nature and extent of the crime challenges they are facing and to direct resources to the highest priorities. For more information on BJA's Innovations Suite, visit: <https://www.bja.gov/Programs/CRPPE/>.

and quickly respond to these crime issues. These initiatives will enhance officer and public safety through the reduction of violent crime.

- Strategies that address the needs created by violent crime related to tribes and tribal members including missing and murdered tribal members.
- Projects that support innovative cooperative efforts between federal, state and local law enforcement to identify and prevent violent crime committed by criminal aliens.

The deliverables will vary per proposal.

The Objectives and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed in [Section D. Application and Submission Information](#), under Project Narrative.

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. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates.
- Integrating evidence into program, practice, and policy decisions within OJP and the field.
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

The OJP CrimeSolutions.gov website at <https://www.crimesolutions.gov> is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

Information Regarding Potential Evaluation of Programs and Activities

The Department of Justice has prioritized the use of evidence-based programming and deems it critical to continue to build and expand the evidence informing criminal and juvenile justice programs to reach the highest level of rigor possible. Therefore, applicants should note that OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. Recipients and sub-recipients will be expected to cooperate with program-related assessments or evaluation efforts, including through the collection and provision of information or data requested by OJP (or its designee) for the assessment or evaluation of any activities and/or outcomes of those activities funded under this solicitation. The information or data requested may be in addition to any other financial or performance data already required under this program.

B. Federal Award Information

Categories 1 and 2: Across both categories, BJA expects to make up to 13 awards of up to \$500,000, with an estimated total amount awarded of up to \$6,150,000. BJA expects to make awards for a 36-month period of performance, to begin on October 1, 2018.

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, the availability of appropriations, when the program or project was last competed, OJP's strategic priorities, and OJP's assessment of both the management of the award (for example, timeliness and quality of progress reports), and the progress of the work funded under the award.

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

Category 1: BJA expects to make any award under Category 1 of this solicitation in the form of a grant. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

Category 2: BJA expects to make any award under Category 2 of this solicitation in the form of a cooperative agreement, which is a type of award that provides for OJP to have substantial involvement in carrying out award activities. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of what may constitute substantial federal involvement.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities⁵) must, as described in the Part 200 Uniform Requirements⁶ as set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework", issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

⁵ For purposes of this solicitation, the phrase "pass-through entity" includes any recipient or subrecipient that provides a subaward ("subgrant") to a subrecipient (subgrantee) to carry out part of the funded award or program. Additional information on proposed subawards is listed under [What an Application Should Include](#), Section 4c of this solicitation.

⁶ 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.

- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) Evaluate and monitor [the recipient's (and any subrecipient's)] compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand the applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available at <https://ojpfgm.webfirst.com/>. (This training is required for all OJP award recipients.)

Also, applicants should be aware that OJP collects information from applicants on their financial management and systems of internal controls (among other information) which is used to make award decisions. Under [Section D. Application and Submission Information](#), applicants may access and review a questionnaire—the [OJP Financial Management and System of Internal Controls Questionnaire](#)—that OJP requires **all** applicants (other than an individual applying in his/her personal capacity) to download, complete, and submit as part of the application.

Budget Information

Cost Sharing or Matching Requirement

This solicitation does not require a match. However, if a successful application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

For additional information on cost sharing and match, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.3b.htm>.

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

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the federal award.

OJP does **not** typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs

Requiring Prior Approval in the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm> for more information.

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year.⁷ The 2018 salary table for SES employees is available on the Office of Personnel Management website at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/exec/html/ES.aspx>. Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that requests a waiver should include a detailed justification in the budget narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that OJP will require the applicant to adjust and resubmit the budget.

The justification should address, in the context of the work the individual would do under the award, the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or project, and a statement that explains whether and how the individual's salary under the award would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

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

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at

<https://www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm>. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps

⁷ OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.

to provide meaningful access to services or benefits may include interpretation or translation services, where appropriate.

For additional information, see the "Civil Rights Compliance" section under "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](https://ojp.gov/funding/index.htm)" in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

C. Eligibility Information

For eligibility information, see title page.

In addition, as discussed in more detail below, to the extent the applicant is a state or local government entity, in order to validly accept this award, the chief legal officer of that jurisdiction must properly execute, and the applicant must submit, the specific certifications regarding compliance with certain federal laws (See Appendices D and E). (Note: this requirement does not apply to Indian tribal governments.)

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

D. Application and Submission Information

What an Application Should Include

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJA has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJA has designated the following application elements as critical: Project Abstract, Project Narrative, Budget Detail Worksheet and Budget Narrative.

NOTE: OJP has combined the Budget Detail Worksheet and Budget Narrative in a single document collectively referred to as the Budget Detail Worksheet. See "Budget Information and Associated Documentation" below for more information about the Budget Detail Worksheet and where it can be accessed.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet," "Timelines," "Memoranda of Understanding," "Résumés") for all attachments. Also, OJP recommends that applicants include résumés in a single file.

Please review the “Note on File Names and File Types” under [How To Apply](#) to be sure applications are submitted in permitted formats.

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

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and the OJP Grants Management System (GMS) take information from the applicant’s profile to populate the fields on this form. When selecting “type of applicant,” if the applicant is a for-profit entity, select “For-Profit Organization” or “Small Business” (as applicable).

To avoid processing delays, an applicant must include an accurate legal name on its SF-424. On the SF-424, current OJP award recipients, when completing the field for “Legal Name” (box 8a), should use the same legal name that appears on the prior year award document (which is also the legal name stored in OJP’s financial system.) Also, these recipients should enter the Employer Identification Number (EIN) in box 8b exactly as it appears on the prior year award document. An applicant with a current, active award(s) must ensure that its GMS profile is current. If the profile is not current, the applicant should submit a Grant Adjustment Notice updating the information on its GMS profile prior to applying under this solicitation.

A new applicant entity should enter its official legal name in box 8a, its address in box 8d, its EIN in box 8b, and its Data Universal Numbering System (DUNS) number in box 8c of the SF-424. A new applicant entity should attach official legal documents to its application (e.g., articles of incorporation, 501(c)(3) status documentation, organizational letterhead, etc.) to confirm the legal name, address, and EIN entered into the SF-424. OJP will use the System for Award Management (SAM) to confirm the legal name and DUNS number entered in the SF-424; therefore, an applicant should ensure that the information entered in the SF-424 matches its current registration in SAM. See the [How To Apply](#) section for more information on SAM and DUNS numbers.

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 State appears on the SPOC list, the applicant must contact the State SPOC to find out 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

Applications should include a high quality abstract that summarizes the proposed project in 1,000 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 font (such as Times New Roman) with 1-inch margins.

Project abstracts should briefly address the required program elements and priorities, described in “Program-specific Information” on page 6 and summarized below:

1. **Applicant Legal Name**
2. **Category Selected: 1 or 2**
3. **Total Funding Requested**
4. **Proposed Project Period**
5. **Areas of Focus:** Project abstracts should identify the area(s) of the adult criminal justice system that the proposal will address. Select the one area that best characterizes the focus of the project:
 - Initiatives that address precipitous increases in crime. This includes combatting, addressing, or otherwise responding to precipitous or extraordinary increases in crime or in a type of crime at the state, local, or tribal level, especially violent crime, with strategies that enhance capacity to track, identify, and quickly respond to these crime issues.
 - Strategies that address the needs of violent crime related to tribes and tribal members including missing and murdered tribal members.
 - Projects that address the opioid epidemic, drug crime and other substance abuse and/or mental health issues.
6. **Innovation Summary:** Provide a short summary demonstrating that this strategy is innovative: describe the proposed approach, including demonstration that it has not yet been widely implemented, or responds to a critical gap in the knowledge base, such as responding to an emerging crime issue and/or a precipitous increase in a type or types of crime. In addition, the proposed strategy should not be part of a proposed approach in other BJA solicitations in FY 2018. Project abstracts should describe the proposed strategy and clearly explain how it meets the innovation criteria.

Proposals that do not meet these program elements will not be considered for funding. As a separate attachment, the project abstract will **not** count against the page limit for the project narrative.

3. Project Narrative

The project narrative must respond to the solicitation (see Program-specific Information on page 5) and the selection criteria (a–d described below) in the order given.

The project narrative should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and should not exceed 15 pages. Number pages “1 of 15,” “2 of 15,” etc.

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

The following sections should be included as part of the project narrative⁸:

⁸ For information on subawards (including the details on proposed subawards that should be included in the application), see “Budget and Associated Documentation” under [Section D. Application and Submission Information](#).

- a. Statement of the Problem
- 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 (see "[General Information about Post-Federal Award Reporting Requirements](#)" in [Section F. Federal Award Administration Information](#)). 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 for an overview of performance measurement activities at OJP. Performance measures for this solicitation are listed in [Appendix A: Performance Measures Table](#).

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 should it receive funding.

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.

All award recipients will be required to provide the relevant data by submitting bi-annual performance metrics as part of their progress reports in GMS. Applicants that are awarded funding to implement TTA activities will also have to report on measures related to TTA activities in the BJA National Training and Technical Assistance Center reporting portal, located at <https://www.bjatrain.org/>.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements, likely do not constitute "research." Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 ("Protection of Human Subjects").

“Research,” for purposes of human subjects protection for OJP-funded programs, is defined as “a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.” 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the “Research and the protection of human subjects” section of the [“Requirements related to Research”](#) webpage of the [“Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards,”](#) available through the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>. Every prospective applicant whose application may propose a research or statistical component also should review the “Data Privacy and Confidentiality Requirements” section on that webpage.

4. Budget and Associated Documentation

The Budget Detail Worksheet and the Budget Narrative are now combined in a single document collectively referred to as the Budget Detail Worksheet. The Budget Detail Worksheet is a user-friendly, fillable, Microsoft Excel-based document designed to calculate totals. Additionally, the Excel workbook contains worksheets for multiple budget years that can be completed as necessary. **All applicants should use the Excel version when completing the proposed budget in an application, except in cases where the applicant does not have access to Microsoft Excel or experiences technical difficulties.** If an applicant does not have access to Microsoft Excel or experiences technical difficulties with the Excel version, then the applicant should use the 508-compliant accessible Adobe Portable Document Format (PDF) version.

Both versions of the Budget Detail Worksheet can be accessed at <https://ojp.gov/funding/Apply/Forms/BudgetDetailWorksheet.htm>.

a. Budget Detail Worksheet

The Budget Detail Worksheet should provide the detailed computation for each budget line item, listing the total cost of each and showing how it was calculated by the applicant. For example, costs for personnel should show the annual salary rate and the percentage of time devoted to the project for each employee paid with grant funds. The Budget Detail Worksheet should present a complete itemization of all proposed costs.

For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm>.

b. Budget Narrative

The budget narrative should thoroughly and clearly describe **every** category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

An applicant should demonstrate in its budget narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be

used to reduce costs, without compromising quality.

The budget narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated **all** costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the budget narrative should describe costs by year.

c. Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)

Applicants for OJP awards typically may propose to make *subawards*. Applicants also may propose to enter into procurement *contracts* under the award.

Whether an action—for federal grants administrative purposes—is a subaward or procurement contract is a critical distinction as significantly different rules apply to subawards and procurement contracts. If a recipient enters into an agreement that is a subaward of an OJP award, specific rules apply—many of which are set by federal statutes and DOJ regulations; others by award conditions. These rules place particular responsibilities on an OJP recipient for any subawards the OJP recipient may make. The rules determine much of what the written subaward agreement itself must require or provide. The rules also determine much of what an OJP recipient must do both before and after it makes a subaward. If a recipient enters into an agreement that is a procurement contract under an OJP award, a substantially different set of federal rules applies.

OJP has developed the following guidance documents to help clarify the differences between subawards and procurement contracts under an OJP award and outline the compliance and reporting requirements for each. This information can be accessed online at <https://ojp.gov/training/training.htm>.

- [Subawards under OJP Awards and Procurement Contracts under Awards: A Toolkit for OJP Recipients.](#)
- [Checklist to Determine Subrecipient or Contractor Classification.](#)
- [Sole Source Justification Fact Sheet and Sole Source Review Checklist.](#)

In general, the central question is the relationship between what the third-party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a *subaward* for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a *subaward* or is instead a

procurement *contract* under an award. The substance of the relationship should be given greater consideration than the form of agreement between the recipient and the outside entity.

1. Information on proposed subawards and required certifications regarding certain federal laws from certain subrecipients

A recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) subawards, a recipient must have authorization from OJP before it may make a subaward.

A particular subaward may be authorized by OJP because the recipient included a sufficiently-detailed description and justification of the proposed subaward in the Program Narrative, Budget Detail Worksheet, and Budget Narrative as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, the applicant should— (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Project Narrative, but also in the Budget Detail Worksheet and Budget Narrative.

Required certifications regarding 8 U.S.C. §§ 1373, 1644, and 1324(a) from any proposed subrecipient that is a state or local government entity

Before a recipient may subaward FY 2018 award funds to a state or local government entity, it will be required (by award condition) to obtain a properly executed certification regarding compliance with these federal laws from the proposed subrecipient. (This requirement regarding these federal laws will not apply to subawards to Indian tribes). The forms will be posted and available for download at:

<https://ojp.gov/funding/Explore/SampleCertifications-8USC1373.htm>.

2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and Budget Narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement "contracts" under awards will be entered into on

the basis of full and open competition. All noncompetitive (sole source) procurement contracts must meet the OJP requirements outlined at <https://ojp.gov/training/subawards-procurement.htm>. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a non-competitive approach for the procurement. An applicant that (at the time of its application) intends—without competition—to enter into a procurement contract that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition.

If the applicant receives an award, sole source procurements that do not exceed the Simplified Acquisition Threshold (currently \$150,000) must have written justification for the noncompetitive procurement action maintained in the procurement file. If a procurement file does not have the documentation that meets the criteria outlined in 2 C.F.R. 200, the procurement expenditures may not be allowable. Sole source procurement over the \$150,000 Simplified Acquisition Threshold must have prior approval from OJP using a Sole Source Grant Adjustment Notice (GAN). Written documentation justifying the noncompetitive procurement must be submitted with the GAN and maintained in the procurement file.

d. Pre-agreement Costs

For information on pre-agreement costs, see [Section B. Federal Award Information](#).

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs may be charged to an award only if:

- (a) The recipient has a current (unexpired), federally approved indirect cost rate; or
- (b) The recipient is eligible to use, and elects to use, the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (unexpired) federally approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant’s accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the Office of the Chief Financial Officer (OCFO) Customer Service Center at 1-800-458-0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <https://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

Certain OJP recipients have the option of electing to use the “de minimis” indirect cost rate. An applicant that is eligible to use the “de minimis” rate that wishes to use the “de minimis” rate should attach written documentation to the application that advises OJP of both—(1) the applicant’s eligibility to use the “de minimis” rate, and (2) its election to do so. If an eligible applicant elects the “de minimis” rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both.

The "de minimis" rate may no longer be used once an approved federally-negotiated indirect cost rate is in place. (No entity that ever has had a federally-approved negotiated indirect cost rate is eligible to use the "de minimis" rate.) For the "de minimis" rate requirements (including information on eligibility to elect to use the rate), see the Part 200 Uniform Requirements, at 2 C.F.R. 200.414(f).

6. Tribal Authorizing Resolution (if applicable)

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, at a minimum, 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)

Every OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire (Questionnaire) at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> as part of its application. The Questionnaire helps OJP assess the financial management and internal control systems, and the associated potential risks of an applicant as part of the pre-award risk assessment process.

The Questionnaire should only be completed by financial staff most familiar with the applicant's systems, policies, and procedures in order to ensure that the correct responses are recorded and submitted to OJP. The responses on the Questionnaire directly impact the pre-award risk assessment and should accurately reflect the applicant's financial management and internal control system at the time of the application. The pre-award risk assessment is only one of multiple factors and criteria used in determining funding. However, a pre-award risk assessment that indicates that an applicant poses a higher risk to OJP may affect the funding decision and/or result in additional reporting requirements, monitoring, special conditions, withholding of award funds, or other additional award requirements.

Among other things, the form requires each applicant to disclose whether it currently is designated "high risk" by a federal grant-making agency outside of DOJ. For purposes of

this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk
- The date the applicant was designated high risk
- The high-risk point of contact at that federal awarding agency (name, phone number, and email address)
- The reasons for the high-risk status, as set out by the federal awarding agency

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered "high-risk" by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

8. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form Disclosure of Lobbying Activities (SF-LLL) posted at <https://ojp.gov/funding/Apply/Resources/Disclosure.pdf>. An applicant that does not expend any funds for lobbying activities is to enter "N/A" in the text boxes for item 10 ("a. Name and Address of Lobbying Registrant" and "b. Individuals Performing Services").

9. Certification of Compliance with certain federal laws by the Chief Legal Officer of the Applicant Jurisdiction⁹

To the extent that the applicant is either a state or local government entity, then the chief legal officer of that applicant (e.g., the State Attorney General) is to carefully review the certifications found in Appendices D and E. If the chief legal officer determines that he or she may execute the certifications, the applicant is to submit the certifications as part of its application. (Note: this requirement does not apply to Indian tribal governments.)

10. Additional Attachments

a. Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)

Each applicant must provide responses to the following questions as an attachment to the application:

1. Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with DHS or ICE?

⁹ The Certifications found in Appendices D and E and responses to the questions regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE) (see [Appendix C](#)) are not required for an applicant or any proposed subrecipient that is either a tribal government/organization, a non-profit organization, or a private institution of higher education. If the applicant or any proposed subrecipient is a public institution of higher education, contact NCJRS for information about application requirements regarding compliance with the identified federal laws or your BJA Grant Manager for additional guidance concerning subrecipient requirements regarding the identified federal laws.

2. Is your jurisdiction subject to any laws from a superior political entity (e.g., a state law that binds a city) that meet the description in question 1?
3. If yes to either:
 - o Please provide a copy of each law or policy;
 - o Please describe each practice; and
 - o Please explain how the law, policy, or practice complies with section 1373.

See Appendix C for a template that applicants may use to prepare this attachment.

b. Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, **and** (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to state agencies that will subaward (“subgrant”) federal funds).

OJP seeks this information to help avoid inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or state funding agency
- The solicitation name/project name
- The point of contact information at the applicable federal or state funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Federal or State Funding Agency
DOJ/Office of Community Oriented Policing Services (COPS)	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
Health and Human Services/Substance Abuse and Mental Health Services Administration	Drug-Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Each applicant should include the table as a separate attachment to its application. The file should be named “Disclosure of Pending Applications.” The applicant’s Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: “[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of this application.”

c. Research and Evaluation Independence and Integrity

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Each application should include an attachment that addresses **both** i. and ii. below.

- i. For purposes of this solicitation, each applicant is to document research and evaluation independence and integrity by including one of the following two items:
 - a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest—whether personal or financial or organizational (including on the part of the applicant entity or on the part of staff, investigators, or subrecipients)—that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

- b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified—including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients—that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse’s work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such

an instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

- ii. In addition, for purposes of this solicitation, each applicant is to address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
 - a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant also is to include an explanation of the specific processes and procedures that the applicant has in place, or will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

- b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant is to provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that the applicant has in place, or will put in place, to identify and eliminate (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

d. Project Timeline and Task Plan, Memoranda/Letters of Support, Job Descriptions, and Résumés

Attach a Project Timeline and Task Plan for each project objective and related activities, expected completion date, and responsible person or organization; Memoranda of Understanding (MOUs) or Letters of Support, if applicable; job descriptions that outline

the roles, responsibilities, and qualifications for all key positions; and résumés for staff identified for these positions, if known. If applicable, include the résumé of the proposed research partner, which highlights the expertise for conducting the type of work proposed.

How To Apply

Applicants must register in and submit applications through Grants.gov, a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at <https://www.grants.gov/web/grants/support.html>. Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, which operates 24 hours a day, 7 days a week, except on federal holidays.

Important Grants.gov update. Grants.gov has updated its application tool. The legacy PDF application package has been phased out and was retired on December 31, 2017. Grants.gov Workspace is now the standard application method for applying for grants. OJP applicants should familiarize themselves with the Workspace option now. For complete information and instructions on using Workspace (and other changes), go to the Workspace Overview page at <https://www.grants.gov/web/grants/applicants/workspace-overview.html>.

Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation of registration and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order 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.

OJP strongly encourages all prospective applicants to sign up for Grants.gov email notifications regarding this solicitation at <https://www.grants.gov/web/grants/manage-subscriptions.html>. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

Browser Information: Grants.gov was built to be compatible with Internet Explorer. For technical assistance with Google Chrome, or another browser, contact Grants.gov Customer Support.

Note on Attachments: Grants.gov has two categories of files for attachments: “mandatory” and “optional.” OJP receives all files attached in both categories. Attachments are also labeled to describe the file being attached (e.g., Project Narrative, Budget Narrative, Other, etc.) Please ensure that all required documents are attached in the correct Grants.gov category and are labeled correctly. Do not embed “mandatory” attachments within another file.

Note on File Names and File Types: Grants.gov **only** permits the use of **certain specific** characters in the file names of attachments. Valid file names may include **only** the characters shown in the table below. Grants.gov rejects any application that includes an attachment(s) with a file name that contains **any** characters not shown in the table below. Grants.gov forwards successfully-submitted applications to the OJP Grants Management System (GMS).

Characters
Upper case (A – Z)
Lower case (a – z)
Underscore (_)
Hyphen (-)
Space
Period (.)

Special Characters		
Parenthesis ()	Curly braces { }	Square brackets []
Ampersand (&)*	Tilde (~)	Exclamation point (!)
Comma (,)	Semicolon (;)	Apostrophe (')
At sign (@)	Number sign (#)	Dollar sign (\$)
Percent sign (%)	Plus sign (+)	Equal sign (=)

***When using the ampersand (&) in XML, applicants must use the “&” format.**

GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.” GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps:

Unique Entity Identifier (DUNS Number) and System for Award Management (SAM)

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System [DUNS] number) requirements. SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. More detailed information about SAM and the DUNS number is in the numbered sections below.

If an applicant entity has not fully complied with the applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

Registration and Submission Steps

- 1. Acquire a unique entity identifier (currently, a DUNS number).** In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866–705–5711 to obtain a DUNS number or apply online at <https://www.dnb.com/>. A DUNS number is usually received within 2 business days.

- 2. Acquire or maintain registration with SAM.** Any applicant for an OJP award creating a **new** entity registration in SAM.gov must provide an original, signed notarized letter stating that the applicant is the authorized Entity Administrator before the registration will be activated. To learn more about this process change, read the FAQs at <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/sam-update>. Information about the

notarized letter is posted at https://www.fsd.gov/fsd-gov/answer.do?sysparm_kbid=d2e67885db0d5f00b3257d321f96194b&sysparm_search=kb0013183.

All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. Applicants will need the authorizing official of the organization and an Employer Identification Number (EIN). An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as several weeks to complete (2 more weeks to acquire an EIN).

An application cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. Once the SAM registration/renewal is complete, **the information transfer from SAM to Grants.gov can take as long as 48 hours**. OJP recommends that the applicant register or renew registration with SAM as early as possible.

Information about SAM registration procedures can be accessed at www.SAM.gov.

3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. An applicant entity's "unique entity identifier" (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to <https://www.grants.gov/web/grants/applicants/organization-registration.html>.
4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.
5. **Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is: 16.738, titled Edward Byrne Memorial Justice Assistance Grant Program, BJA-2018-13573.
6. **Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application:

Category 1, Competition ID: BJA-2018-13994
Category 2, Competition ID: BJA-2018-13995
7. **Access Funding Opportunity and Application Package from Grants.gov.** Select "Apply for Grants" under the "Applicants" column. Enter your email address to be notified of any changes to the opportunity package before the closing date. Click the Workspace icon to use Grants.gov Workspace.

8. Submit a valid application consistent with this solicitation by following the directions in Grants.gov. Within 24-48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date, to allow time 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. Applications must be successfully submitted through Grants.gov by 5:00 p.m. eastern time on August 6, 2018.

Go to <https://www.grants.gov/web/grants/applicants/organization-registration.html> for further details on DUNS numbers, SAM, and Grants.gov registration steps and timeframes.

Note: Application Versions

If an applicant submits multiple versions of the same application, OJP will review only the most recent system-validated version submitted.

Experiencing Unforeseen Grants.gov Technical Issues

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must contact the Grants.gov Customer Support Hotline at <https://www.grants.gov/web/grants/support.html> or the SAM Help Desk (Federal Service Desk) at <https://www.fsd.gov/fsd-gov/home.do> to report the technical issue and receive a tracking number. The applicant must email the contact identified in the Contact Information section on the title page **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties, and must include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s).

Note: OJP does not automatically approve requests to submit a late application. After OJP reviews the applicant's request, and contacts the Grants.gov or SAM Help Desks to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time (SAM registration and renewal can take as long as several weeks to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)
- Failure to follow Grants.gov instructions on how to register and apply as posted on its website
- Failure to follow each instruction in the OJP solicitation
- Technical issues with the applicant's computer or information technology environment, such as issues with firewalls or browser incompatibility

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

E. Application Review Information

Review Criteria

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

1. Statement of the Problem (15 percent)

Categories 1 and 2:

Applicants must describe how the project addresses:

- A critical emerging or chronic violent crime problem, or systemic safety issues faced by one or more components of the adult criminal justice system for which there currently are no resources, or resources are limited or insufficient. The problem must be linked to one of the following priority areas:
 - i. Initiatives that address precipitous increases in crime. This includes combatting, addressing, or otherwise responding to precipitous or extraordinary increases in crime or in a type of crime at the state, local, or tribal level, especially violent crime, with strategies that enhance capacity to track, identify, and quickly respond to these crime issues.
 - ii. Strategies that address the needs of violent crime related to tribes and tribal members including missing and murdered tribal members.
 - iii. Projects that address the opioid epidemic, drug crime and other substance abuse and/or mental health issues
- A demonstrated gap in areas within the adult criminal justice system, or in the knowledge base of justice system practitioners or state and local policymakers for which there currently are no resources, or resources are limited or insufficient.

Applicants should include any relevant data, background, and any other information to show the significance and importance of the issue, using data that are pertinent to understanding the identified problem. In particular, projects which seek to address a precipitous increase in a particular crime must also provide the following information:

- The period of time during which the relevant category of crime increased.
- Evidence substantiating the claimed increase. Examples of such evidence include statistics, research findings, or other objective evidence, as appropriate.
- Description of how the proposed strategy will address the identified crime or type(s) of crime.

2. Project Design and Implementation (40 percent)

Category 1:

Applicants should:

- a. Describe program strategy to be implemented.
- b. Describe how the innovative strategy addresses the problems, gaps, or limited resources identified in the Statement of the Problem.
- c. Describe specific strategy in detail, including:
 - Key program elements and implementation.
 - Role of the research partner in the project, if applicable.
 - How the proposed innovative project is based upon and/or may contribute to evidence-based strategies or promising practices.
 - How project outcomes could serve as a model that could be replicated in like sites or nationwide.
 - How the project will provide knowledge, tools, and materials that will be of significant value and benefit to criminal justice practitioners and policymakers.

Category 2:

Applicants should:

- a. Describe the program strategy to be implemented.
- b. Describe how the innovative strategy addresses the problems, gaps, or limited resources identified in the Statement of the Problem.
- c. Describe the specific strategy in detail, including:
 - Key program elements and implementation.
 - How the proposed innovative project is based upon and/or may contribute to evidence-based strategies or promising practices.
 - How the knowledge, research, or data learned from the project will be communicated and disseminated to relevant audiences upon completion.
 - How the project will develop practical tools and materials for the field that will assist state and local practitioners in adopting promising and strategic solutions.
 - For regional projects, how the project will use a model that could be effectively implemented regionally and replicated elsewhere.

For both categories, and where relevant, applicants must demonstrate coordination with the appropriate USAO district PSN team in their application submission. If an applicant does not have a district PSN team and is unable to demonstrate coordination, please note this in the submission as well.

In addition, an applicant may receive priority consideration by explaining how it would address the problem area identified in its application through cooperation with federal immigration authorities, including compliance with 8 USC §§ 1373, 1644, and 1324, participation in a 287 (g) or other cooperation program, honoring requests for notice of

release, transfers of custody, and/or short term extensions of custody, and providing access to detention centers so federal immigration authorities may conduct interviews.

If you choose to seek this priority consideration, please explain specifically how you believe these forms of cooperation will address the problem area you have identified, and how you will use these grants funds to achieve this end.

3. Capabilities and Competencies (25 percent)

Categories 1 and 2:

Applicants must fully describe their capabilities to implement the project, the competencies of the staff assigned to the project, and the organization overall. Describe the management structure and proposed staffing to implement the project and describe their roles and responsibilities, including decision-making, as well as those of any co-applicants or partners, if applicable. Demonstrate, including giving specific examples, the applicant's expertise and experience in planning, developing, implementing, and managing criminal justice-related programs at the national, state, or local level, with a strong emphasis on the discipline and topics identified in this solicitation.

- Category 1 applicants, if applicable, should also describe the proposed research partner's experience with developing research, program and development plans.
- Collecting and analyzing criminal justice and public safety data to identify criminal justice- and public safety-related problems.
- Identifying and proposing proven strategies or interventions to address problems.
- Documenting and measuring program operations and processes, including implementation fidelity.
- Using data to determine program effectiveness, and making recommendations for program improvement.
- Developing "real-time" products and resources for strategic decision-making.
- Working with the team to develop a sustainability plan.
- Communicating with a wide variety of audiences to present their evaluation findings, conclusions, and recommendations.

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

All applicants should describe the methodology that will be used for collecting, analyzing and reporting data for performance measurement. Identify the criteria to be used, and who will be responsible for data collection and performance measurement. Describe how the information will be used to enhance program implementation and how it could guide replication and/or improve criminal justice operational practices. Applicants should identify and describe both outputs and outcomes they anticipate as a result of their proposed implementation strategy, and a process for measuring these.

5. Budget (10 percent):

Applicants must provide budgets that are 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 objectives of the project.¹⁰ The budget should be appropriate for the category in which the applicant is applying and address any additional requirements as indicated in Section D. under Budget and Associated Documentation.

Review Process

OJP is committed to ensuring a fair and open process for making awards. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

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 (see below for more information)
- The application must include all items designated as “critical elements.”
- The applicant must not be identified in SAM as excluded from receiving federal awards.

For a list of the critical elements for this solicitation, see “What an Application Should Include” under [Section D. Application and Submission Information](#).

To be considered responsive to the scope of the solicitation, all applications must meet the required program elements outlined in “Program-specific Information” on page 6.

A working group, composed of internal and/or external reviewers, will conduct an initial review of project abstracts based on the program requirements above to determine whether proposals are responsive to the scope of the solicitation. The working group may consider other elements of the application when conducting their initial review; however **applicants are strongly encouraged to clearly explain how the proposal will address all required program elements within the project abstract.**

Following the working group’s initial review, peer reviewers will review those applications that meet basic minimum requirements (including addressing all required program elements).

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

¹⁰ 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.

employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter 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 (including the discussion of a priority consideration for certain activities) , and available funding, as well as 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 \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

Important note on FAPIIS: An applicant, 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.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants for competitive awards. OJP takes into account information pertinent to matters such as:

1. Applicant financial stability and fiscal integrity
2. Quality of the applicant's management systems, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide
3. Applicant's history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies
4. Reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements
5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements.

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

Federal Award Notices

Award notifications will be made by September 30, 2018. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including all award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning and submission of the fully-executed award document to OJP.

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, as well as all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

Applicants should consult the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](https://ojp.gov/funding/index.htm)," available in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>. In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents before it may receive any award funds. (An applicant is not required to submit these documents as part of an application.)

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- [Certified Standard Assurances](#)

The webpages accessible through the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](https://ojp.gov/funding/index.htm)" are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2018. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute, program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

As stated above, BJA expects that it will make any award under Category 2 of this solicitation in the form of a cooperative agreement. Cooperative agreements include a condition in the award

document that sets out the nature of the “substantial federal involvement” in carrying out the award and program. Generally stated, under OJP cooperative agreement awards, responsibility for the day-to-day conduct of the funded project rests with the recipient. OJP, however, may have substantial involvement in matters such as substantive coordination of technical efforts and site selection, as well as review and approval of project work plans, research designs, data collection instruments, and major project-generated materials. In addition, OJP often indicates in the award terms and conditions that it may redirect the project if necessary.

In addition to an award condition that sets out the nature of the anticipated “substantial federal involvement” in the award, cooperative agreements awarded by OJP include an award condition that requires specific reporting in connection with conferences, meetings, retreats, seminars, symposia, training activities, or similar events funded under the award.

Express Award Conditions

Individual FY 2018 awards made pursuant to this solicitation will, as appropriate and to the extent consistent with law, include conditions that will require the recipient (and any subrecipient) that accepts the award to do some or all of the following, with respect to the “program or activity” that would receive federal financial assistance thereunder:

- Not to violate (and certify that it is not in violation of) 8 U.S.C. § 1373 (prohibiting restrictions on—
 - (1) communication to/from the Department of Homeland Security (“DHS”) of information regarding the citizenship or immigration status of any individual; and
 - (2) maintaining, or exchanging with any government entity, information regarding the immigration status of any individual).
- Not to violate (and, as applicable, certify that it is not in violation of) 8 U.S.C. § 1644 (prohibiting restrictions on communication to/from DHS of information regarding the immigration status of an alien)
- To certify/assure that it—
 - is not in violation of 8 U.S.C. § 1324(a) (forbidding any “person,” in “knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law,” to “conceal, harbor, or shield from detection, or attempt[] to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation” or to “engage in any conspiracy to commit any of the preceding acts ... “or aid or abet the commission of any of the preceding acts”); and
 - will neither violate nor aid or abet any violation of 8 U.S.C. § 1324(a)

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 the following 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.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP webpage at <https://ojp.gov/funding/FAPIIS.htm>.

Data on performance measures. In addition to required reports, each award recipient also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, OJP will require any award recipient, post award, to provide performance data as part of regular progress reporting. Successful applicants will be required to access OJP's performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP. Performance measures for this program are listed as [Appendix A](#).

G. Federal Awarding Agency Contact(s)

For OJP contact(s), see the title page.

For contact information for Grants.gov, see the title page.

H. Other Information

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

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that the applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a

similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

Provide Feedback to OJP

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This email is for feedback and suggestions only. OJP does **not** reply from this mailbox to messages it receives in this mailbox. Any prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to ojpprsupport@usdoj.gov. (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

Appendix A: Performance Measures Table

Category 1

Applicants awarded funding for Category 1 will report on the following measures in the Grants Management System:

Objective	Performance Measure(s)	Data that Grantee Provides
Support the development, implementation, and replication of innovative strategies that respond to emerging or chronic crime problems and systemic issues for which there currently are no resources or resources are limited or insufficient.	Percentage of project plan outcomes met	Number of project tasks*
	Percentage of project tasks successfully completed that address capacity building	Number of project tasks* that were completed during the reporting period
	Number of new policies, procedures, strategies, or interventions evaluated	Number of project tasks that were completed during the reporting period that build capacity** in your agency
	Percentage of policies, procedures, strategies or interventions that are supported by evidence to be replicable or a best practice	Number of total project tasks (complete or incomplete) that build capacity in your agency
		Number of new policies, procedures, strategies, or interventions evaluated
		Of those evaluated, the number of policies, procedures, strategies or interventions that are supported by evidence to be replicable or a best practice

* Task: grant activity defined in application project narrative

**Capacity building: enhancing knowledge, increasing the number of services provided, or enhancing the ability of agencies to better respond to the needs of constituents

Category 2

Applicants awarded funding to implement TTA activities under Category 2 will have to report on the following measures related to TTA activities in the BJA’s National Training and Technical Assistance Center reporting portal, located at <https://www.bjatrainng.org/>.

Because of the broad nature of this solicitation, BJA recognizes that some measures may not be applicable to all applicants.

Objectives	Performance Measure	Data Grantee Provides
Objective 1: Support the development and implementation of innovative strategies for addressing officer and public safety challenges through training .	Number of trainings conducted	Number of trainings (by type): <ul style="list-style-type: none"> • In-person • Web-based • CD/DVD • Peer to peer • Workshop
	Number of participants who attended the training	Number of individuals who: <ul style="list-style-type: none"> • Attended the training (in-person) or started the training (web-based) • Completed the training • Completed an evaluation at the conclusion of the training • Completed an evaluation and rated the training as satisfactory or better • Completed the post-test with an improved score over their pre-test
	Percentage of participants who successfully completed the training	
	Percentage of participants who rated the training as satisfactory or better	
	Percentage of participants trained who subsequently demonstrated performance improvement	

Objectives	Performance Measure	Data Grantee Provides
	Percentage of scholarship recipients surveyed who reported that the training provided information that could be utilized in their jobs	Number of individuals who: <ul style="list-style-type: none"> • Received a scholarship • Completed the training • Completed a survey at the conclusion of the training • Reported the training provided information that could be utilized in their job
	Number of curricula developed	Number of training curricula: <ul style="list-style-type: none"> • Developed • Pilot tested • Revised after being pilot tested
	Number of curricula that were pilot tested	
Percentage of curricula that were revised after pilot testing		
Objective 2: Support the development and implementation of innovative strategies for addressing officer and public safety challenges through technical assistance.	Percentage of requesting agencies that rated services as satisfactory or better	<ul style="list-style-type: none"> • Number of onsite visits completed • Number of reports submitted to requesting agencies after onsite visits • Number of requesting agencies that completed an evaluation of services • Number of agencies that rated the services as satisfactory or better (in terms of timeliness and quality) • Number of follow-ups with requesting agencies completed 6 months after onsite visit • Number of agencies that were planning to implement at least one or more recommendations 6 months after the onsite visit
	Percentage of requesting agencies that were planning to implement one or more recommendations	
	Percentage of peer visitors who reported that the visit to the other agency was useful in providing information on policies or practices	<ul style="list-style-type: none"> • Number of peer-to-peer visits completed • Number of peer visitors who completed an evaluation

Objectives	Performance Measure	Data Grantee Provides
	Percentage of peer visitors who were planning to implement one or more policies or practices 6 months after they were observed at the visited site	<ul style="list-style-type: none"> • Number of peer visitors who reported that the visit was useful in providing information on policies or practices • Number of follow-ups with the requesting peer visitor completed 6 months after the peer-to-peer visit • Number of peer visitors who were planning to implement at least one or more recommendations 6 months after the onsite visit
	Percentage of requesting agencies of other onsite services that rated the services provided as satisfactory or better	<ul style="list-style-type: none"> • Number of other onsite services provided • Number of requesting agencies that completed an evaluation of other onsite services • Number of agencies that rated the services as satisfactory or better
Objective 3: Increase information provided to BJA and the criminal justice community.	Number of conferences or advisory/focus groups held	<ul style="list-style-type: none"> • Number of conferences or advisory/focus groups held • Number of conference or advisory/focus group attendees who completed an evaluation • Number of conference or advisory/focus group attendees who rated the advisory/focus group as satisfactory or better
	Percentage of advisory/focus groups evaluated as satisfactory or better	
	Number of publications developed	<ul style="list-style-type: none"> • Number of publications/resources developed • Number of publications/ resources disseminated
	Number of publications disseminated	
	Percentage of websites developed and maintained.	<ul style="list-style-type: none"> • Number of websites developed • Number of websites maintained • Number of visits to websites during the current reporting period • Number of visits to websites during the previous reporting period
	Percent increase in the number of visits to websites	

Objectives	Performance Measure	Data Grantee Provides
	Percentage of information requests responded to	<ul style="list-style-type: none">• Number of information requests• Number of information requests responded to

Appendix B: Application Checklist
BJA FY18 Supporting Innovation: Field-Initiated Programs to Improve Officer and Public Safety

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 page 26)
- _____ Acquire or renew registration with SAM (see page 26)

To Register with Grants.gov:

- _____ Acquire AOR and Grants.gov username/password (see page 27)
- _____ Acquire AOR confirmation from the E-Biz POC (see page 27)

To Find Funding Opportunity:

- _____ Search for the Funding Opportunity on Grants.gov (see page 27)
- _____ Select the correct Competition ID (see page 27)
- _____ Access Funding Opportunity and Application Package (see page 27)
- _____ Sign up for Grants.gov email [notifications](#) (optional) (see page 25)
- _____ 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 page 11)

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 page 28)

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

- _____ contact NCJRS 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 2018 Awards"](#) in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

Scope Requirement:

- _____ The federal amount requested is within the allowable limit of \$500,000 for Category 1 and 2 applications.
- _____ The proposal meets the required program elements (described on page 5):
Proposal demonstrates innovation by proposing an approach that has not yet been widely implemented, including a new modification to an existing strategy; or responds to a critical gap in the knowledge base such as responding to an emerging crime issue and/or a precipitous increase in a type or types of crime. In addition, the proposed strategy should not be part of a proposed approach in other BJA solicitations in FY

2018.¹¹ Proposals that do not meet these program elements will not be considered for funding.

Eligibility Requirement:

Category 1: Eligible applicants are limited to state and local government agencies (including territories), nonprofit and for-profit organizations (including tribal nonprofit and for-profit organizations), and federally recognized Indian tribal governments (as determined by the Secretary of the Interior).

Category 2: Eligible applicants are limited to nonprofit organizations, for-profit organizations (including tribal nonprofit or for-profit organizations), institutions of higher education (including tribal institutions of higher education), faith-based organizations, and consortiums with demonstrated experience in addressing public safety challenges. This includes, but is not limited to, entities active in prevention, enforcement, prosecution, intervention, and reentry strategies.

What an Application Should Include:

_____ Application for Federal Assistance (SF-424)	(see page 13)
_____ Intergovernmental Review	(see page 13)
_____ Project Abstract*	(see page 13)
_____ Project Narrative*	(see page 14)
_____ Budget Detail Worksheet*	(see page 16)
_____ Budget Narrative*	(see page 16)
_____ Required certifications	(see page 18)
_____ Indirect Cost Rate Agreement (if applicable)	(see page 19)
_____ Tribal Authorizing Resolution (if applicable)	(see page 20)
_____ Financial Management and System of Internal Controls Questionnaire	(see page 20)
_____ Disclosure of Lobbying Activities (SF-LLL)	(see page 21)
_____ Certification of Compliance with certain federal laws	(see page 21)
_____ Additional Attachments	
_____ Information regarding Communication with DHS and/or ICE	(see page 21)
_____ Applicant Disclosure of Pending Applications	(see page 22)
_____ Research and Evaluation Independence and Integrity	(see page 23)
_____ Request and Justification for Employee Compensation; Waiver (if applicable)	(see page 11)
_____ Project Timeline and Task Plan, Memoranda/Letters of Support, Job Descriptions, and Résumés	(see page 24)

* Denotes an item designated as a “critical element” under this solicitation.

¹¹ Please note that program funding for this and other BJA FY 2018 grants is subject to the availability of appropriations and potential legislative changes to statutory requirements; applicants are strongly encouraged to consult the DOJ Program Plan website to monitor said availability. The information provided by DOJ is based on projected operational plans and may be updated frequently, including the addition, substitution, or cancellation of projected solicitations without advance notice. Applicants should also note that the DOJ Program Plan includes data on funding opportunities from all DOJ grant-making components, and is not limited to BJA. The DOJ Program Plan web page can be filtered by grant-making component or office, keywords, eligible applicants, categories and subcategories, and expected release date.

Appendix C

Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)

Each applicant must provide responses to the following questions as an attachment to the application:

1. Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with DHS or ICE?
2. Is your jurisdiction subject to any laws from a superior political entity (e.g., a state law that binds a city) that meet the description in question 1?
3. If yes to either:
 - Please provide a copy of each law or policy;
 - Please describe each practice; and
 - Please explain how the law, policy, or practice complies with section 1373.

Appendix D

State or Local Government:

Certification of Compliance with 8 U.S.C. §§ 1373 and 1644

Template for use by the chief legal officer of the applicant government (e.g., the State Attorney General)

Available below or for download at <https://ojp.gov/funding/Explore/SampleCertifications-8USC1373.htm>.

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

State or Local Government: FY 2018 Certification of Compliance with 8 U.S.C. §§ 1373 & 1644

On behalf of the applicant government entity named below, and in support of its application, I certify under penalty of perjury to the Office of Justice Programs (“OJP”), U.S. Department of Justice (“USDOJ”), that all of the following are true and correct:

- (1) I am the chief legal officer of the State or local government of which the applicant entity named below is a part (“the jurisdiction”), and I have the authority to make this certification on behalf of the jurisdiction and the applicant entity (that is, the entity applying directly to OJP). I understand that OJP will rely upon this certification as a material representation in any decision to make an award to the applicant entity.
- (2) I have carefully reviewed 8 U.S.C. §§ 1373(a) & (b), and 1644, including the prohibitions on certain actions by State and local government entities, -agencies, and -officials regarding information on citizenship and immigration status. I also have reviewed the provisions set out at (or referenced in) 8 U.S.C. § 1551 note (“Abolition ... and Transfer of Functions”), pursuant to which references to the “Immigration and Naturalization Service” in 8 U.S.C. §§ 1373 & 1644 are to be read, as a legal matter, as references to particular components of the U.S. Department of Homeland Security.
- (3) I (and also the applicant entity) understand that the U.S. Department of Justice will require States and local governments (and agencies or other entities thereof) to comply with 8 U.S.C. §§ 1373 & 1644, with respect to any “program or activity” funded in whole or in part with the federal financial assistance provided through the FY 2018 OJP program under which this certification is being submitted (“the FY 2018 OJP Program” identified below), specifically including any such “program or activity” of a governmental entity or -agency that is a subrecipient (at any tier) of funds under the FY 2018 OJP Program.
- (4) I (and also the applicant entity) understand that, for purposes of this certification, “program or activity” means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term “State” also shall include American Samoa (*cf.* 42 U.S.C. § 901(a)(2)). Also, I understand that, for purposes of this certification, neither a “public” institution of higher education (*i.e.*, one that is owned, controlled, or directly funded by a State or local government) nor an Indian tribe is considered a State or local government entity or -agency.
- (5) I have conducted (or caused to be conducted for me) a diligent inquiry and review concerning both—
 - (a) the “program or activity” to be funded (in whole or in part) with the federal financial assistance sought by the applicant entity under this FY 2018 OJP Program; and
 - (b) any prohibitions or restrictions potentially applicable to the “program or activity” sought to be funded under the FY 2018 OJP Program that deal with sending to, requesting or receiving from, maintaining, or exchanging information of the types described in 8 U.S.C. §§ 1373(a) & (b), and 1644, whether imposed by a State or local government entity, -agency, or -official.
- (6) As of the date of this certification, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by, any prohibition or any restriction that would apply to the “program or activity” to be funded in whole or in part under the FY 2018 OJP Program (which, for the specific purpose of this paragraph 6, shall not be understood to include any such “program or activity” of any subrecipient at any tier), and that deals with either— (1) a government entity or -official sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. §§ 1373(a) & 1644; or (2) a government entity or -agency sending to, requesting or receiving from, maintaining, or exchanging information of the types (and with respect to the entities) described in 8 U.S.C. § 1373(b).

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 42 U.S.C. § 3795a), and also may subject me and the applicant entity to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by USDOJ, including by OJP and by the USDOJ Office of the Inspector General.

Signature of Chief Legal Officer of the Jurisdiction

Printed Name of Chief Legal Officer

Date of Certification

Title of Chief Legal Officer of the Jurisdiction

Name of Applicant Government Entity (*i.e.*, the applicant to the FY 2018 OJP Program identified below)

Appendix E

**State or Local Government:
Certification of Compliance with 8 U.S.C. § 1324(a)**

Template for use by the chief legal officer of the applicant government (e.g., the State Attorney General)

Available below or for download at <https://ojp.gov/funding/Explore/SampleCertifications-8USC1373.htm>.

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

State or Local Government: FY 2018 Certification Relating to
8 U.S.C. § 1324(a)

On behalf of the applicant government entity named below, and in support of its application, I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief legal officer of the State or local government of which the applicant entity named below is a part ("the jurisdiction"), and I have the authority to make this certification on behalf of the jurisdiction and the applicant entity (that is, the entity applying directly to OJP). I understand that OJP will rely upon this certification as a material representation in any decision to make an award to the applicant entity.
2. I have carefully reviewed 8 U.S.C. § 1324(a) (forbidding any "person," in "knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law," to "conceal[], harbor[], or shield[] from detection, or attempt[] to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation" or to "engage in any conspiracy to commit any of the preceding acts, or ... aid[] or abet[] the commission of any of the preceding acts").
3. I (and also the applicant entity) understand that USDOJ will require States and local governments (including State and local government entities, -agencies, and -officials) to comply with, not to violate, or to aid or abet any violation of, 8 U.S.C. § 1324(a), with respect to any "program or activity" funded in whole or in part with the federal financial assistance provided through the FY 2018 OJP program under which this certification is being submitted (the "FY 2018 OJP Program" identified below), specifically including any such "program or activity" of a governmental entity or -agency that is a subrecipient (at any tier) of funds under the FY 2018 OJP Program.
4. I (and also the applicant entity) understand that, for purposes of this certification, "program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term "State" also shall include American Samoa (*cf.* 34 U.S.C. § 10251(a)(2)). Also, I understand that, for purposes of this certification, neither a "public" institution of higher education (*i.e.*, one that is owned, controlled, or directly funded by a State or local government) nor an Indian tribe is considered a State or local government entity or -agency.
5. I have conducted (or caused to be conducted for me) a diligent inquiry and review concerning both—
 - a. the "program or activity" to be funded (in whole or in part) with the federal financial assistance sought by the applicant entity under this FY 2018 OJP Program; and
 - b. any laws, rules, policies, or practices potentially applicable to the "program or activity" sought to be funded under the FY 2018 OJP Program that implicate any of the requirements relating to 8 U.S.C. § 1324(a) that are described in ¶ 3 of this certification, whether imposed by a State or local government entity, -agency, or -official.
6. As of the date of this certification, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by, any law, rule, policy, or practice that would apply to the "program or activity" to be funded in whole or in part under the FY 2018 OJP Program (which, for the specific purpose of this paragraph 6, shall not be understood to include any such "program or activity" of any subrecipient at any tier), and that would or does violate, or aid or abet any violation of, 8 U.S.C. § 1324(a).

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant entity to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also acknowledge that OJP awards, including associated certifications, are subject to review by USDOJ, including by OJP and the USDOJ Office of the Inspector General.

Signature of Chief Legal Officer of the Jurisdiction

Printed Name of Chief Legal Officer

Date of Certification

Title of Chief Legal Officer of the Jurisdiction

Name of Applicant Government Entity (*i.e.*, the applicant to the FY 2018 OJP Program identified below)

FY 2018 OJP Program: Supporting Innovation: Field-Initiated Programs to Improve Officer and Public Safety

Appendix F

Certain relevant federal laws, as in effect on June 7, 2018

8 U.S.C. § 1373

Communication between government agencies and the Immigration and Naturalization Service

(a) In general

Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

(b) Additional authority of government entities

Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

- (1) Sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.
- (2) Maintaining such information.
- (3) Exchanging such information with any other Federal, State, or local government entity.

(c) Obligation to respond to inquiries

The Immigration and Naturalization Service shall respond to an inquiry by a Federal, State, or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.

8 U.S.C. § 1644

Communication between State and local government agencies and Immigration and Naturalization Service

Notwithstanding any other provision of Federal, State, or local law, no State or local government entity may be prohibited, or in any way restricted, from sending to or receiving from the Immigration and Naturalization Service information regarding the immigration status, lawful or unlawful, of an alien in the United States.

8 U.S.C. § 1324(a)(1)

Bringing in and harboring certain aliens

(a) Criminal penalties

(1)(A) Any person who—

- i. knowing that a person is an alien, brings to or attempts to bring to the United States in any manner whatsoever such person at a place other than a designated

port of entry or place other than as designated by the Commissioner, regardless of whether such alien has received prior official authorization to come to, enter, or reside in the United States and regardless of any future official action which may be taken with respect to such alien;

- ii. knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law;
- iii. knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation;
- iv. encourages or induces an alien to come to, enter, or reside in the United States, knowing or in reckless disregard of the fact that such coming to, entry, or residence is or will be in violation of law; or
- v. (I) engages in any conspiracy to commit any of the preceding acts, or (II) aids or abets the commission of any of the preceding acts, shall be punished as provided in subparagraph (B).

(B) A person who violates subparagraph (A) shall, for each alien in respect to whom such a violation occurs—

- I. in the case of a violation of subparagraph (A)(i) or (v)(I) or in the case of a violation of subparagraph (A)(ii), (iii), or (iv) in which the offense was done for the purpose of commercial advantage or private financial gain, be fined under title 18, imprisoned not more than 10 years, or both;
- II. in the case of a violation of subparagraph (A)(ii), (iii), (iv), or (v)(II), be fined under title 18, imprisoned not more than 5 years, or both;
- III. in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) during and in relation to which the person causes serious bodily injury (as defined in section 1365 of title 18) to, or places in jeopardy the life of, any person, be fined under title 18, imprisoned not more than 20 years, or both; and
- IV. in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) resulting in the death of any person, be punished by death or imprisoned for any term of years or for life, fined under title 18, or both.

(C) It is not a violation of clauses ¹ (ii) or (iii) of subparagraph (A), or of clause (iv) of subparagraph (A) except where a person encourages or induces an alien to come to or enter the United States, for a religious denomination having a bona fide nonprofit, religious organization in the United States, or the agents or officers of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least one year.