The United States Department of Justice
Office of Justice Programs
Office of the Comptroller

Financial Guide

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Foreword

The Office of Justice Programs (OJP) provides Federal leadership in developing the nation's capacity to prevent and control crime, administer justice, and assist crime victims. The Office of the Comptroller (OC) provides policy guidance, control, and support services to OJP's Program Offices and Bureaus in accounting and the financial management of grants. In addition, OC also provides the following services: (1) technical assistance to OJP grantees; (2) financial monitoring of grantees; and (3) audit tracking and audit resolution of OJP grantees.

The OJP *Financial Guide* serves as a primary reference manual to assist award recipients in fulfilling their fiduciary responsibility to safeguard grant funds and ensure funds are used for the purposes for which they were awarded. The Guide should serve as a day-to-day management tool for OJP award recipients and may also be used by subrecipients in administering their grant programs. The provisions of the guide apply to all grantor agency awards.

For additional information on grants management, please visit the OMB website address, http://www.whitehouse.gov/OMB/grants/index.html to obtain copies of current circulars.

We are pleased to respond to any questions not covered by this guide and welcome suggestions to improve the utility of the guide and its content. Please feel free to contact OC's Customer Service Center at 1-(800)-458-0786 with any financial management questions or suggested revisions. In addition, questions and comments can also be directed to OC via e-mail at ask.oc@usdoj.gov.

Cynthia J. Schwimer

Comptroller

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Part I:
General Information

CHAPTER 1: Users
CHAPTER 2: Resources
CHAPTER 3: Conflicts of Interest

Chapter 1: Users

HIGHLIGHTS OF CHAPTER:

- Direct Recipients
- Subrecipients
- Individuals
- Contractors

This document is provided for the use of all recipients and their subrecipients of Federal grant programs administered by the Office of Justice Programs (OJP). This Guide is to serve as the primary reference for financial management and grants administration. Specific organizations and individuals that are to use this Guide include:

DIRECT RECIPIENTS

Block, formula, and discretionary recipients shall adhere to the provisions of this Guide. Programmatic and technical requirements for block, formula, and discretionary recipients are contained in the program guidelines.

SUBRECIPIENTS

Units of government and other organizations receiving Federal financial assistance from the State shall adhere to applicable State laws and procedures. The circulars and government-wide common rules specific to that organization-type should also apply.

INDIVIDUALS

Individuals from the above organizations who may use this Guide include: administrators, financial management specialists, grants management specialists, accountants, and auditors. These individuals are to use the Guide as their financial policy reference in executing their duties under agency-funded programs and projects. Additionally, the document is structured to serve as a training manual for new employees.

CONTRACTORS

This Guide is not for the direct use of contractors. However, direct recipients should ensure that monitoring of organizations under contract to them is performed in a manner that will ensure compliance with their overall financial management requirements.

Chapter 2: Resources

HIGHLIGHTS OF CHAPTER:

- OMB Circulars
- Government-Wide Common Rules
- Office of the Inspector General (OIG) Fraud Hotline
- Other Available Resources

This Guide incorporates by reference the provisions of the Office of Management and Budget (OMB) circulars and government-wide common rules applicable to grants and cooperative agreements. These circulars and common rules include the following:

OMB CIRCULARS

Administrative Requirements:
OMB Circular A-102 "Grants and Cooperative Agreements with State and Local Governments".
OMB Circular A-110 "Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations" (codified at 28 CFR Part 70).
Cost Principles:
OMB Circular A-21 "Cost Principles for Educational Institutions" (codified at 28 CFR Part 66, by reference).
OMB Circular A-87 "Cost Principles for State, Local, and Indian Tribal Governments" (codified at 28 CFR Part 66, by reference).
OMB Circular A-122 "Cost Principles for Nonprofit Organizations" (codified at 28 CFR Part 66, by reference).
Audit Requirements:
OMB Circular A-133 "Audits of States, Local Governments and Non-Profit Institutions" (codified at 28 CFR Part 66 & Part 70).

GOVERNMENT-WIDE COMMON RULES

"Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Units of Governments," (codified at 28 CFR Part 66). (Grants Management Common Rule for State and Local Units of Governments).

"Government-wide Debarment and Suspension (Nonprocurement)" (codified at 28 CFR Part 67) and **"Government-wide Requirements for Drug-free Workplace (Grants)"** (codified at 28 CFR Part 83).

"New Restrictions on Lobbying" (codified at 28 CFR Part 69).

For additional information on grants management and to obtain copies of current circulars, please visit the OMB website at www.whitehouse.gov/OMB/grants/index.html.

OFFICE OF THE INSPECTOR GENERAL (OIG) FRAUD HOTLINE

Grantees should report any allegations of fraud, waste, and abuse regarding grant funds to ask.oc@usdoj.gov and/or to the OIG Fraud Hotline, 1–(800)–869–4499.

OTHER AVAILABLE RESOURCES

"OJP Procurement Guide" and "Post-Award Instructions" are available at www.ojp.usdoj.gov/oc.

"Grants.gov" is available at www.grants.gov.

"Regulations.gov" is available at www.regulations.gov.

Chapter 3: Conflicts of Interest

HIGHLIGHTS OF CHAPTER:

- Advice
- Appearance

Personnel and other officials connected with agency-funded programs shall adhere to the following requirements:

ADVICE

No official or employee of a State or unit of local government or a non-governmental recipient/subrecipient shall participate personally through decisions, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, award, cooperative agreement, claim, controversy, or other particular matter in which award funds (including program income or other funds generated by Federally funded activities) are used, where to his/her knowledge, he/she or his/her immediate family, partners, organization other than a public agency in which he/she is serving as an officer, director, trustee, partner, or employee, or any person or organization with whom he/she is negotiating or has any arrangement concerning prospective employment, has a financial interest, or has less than an arms-length transaction.

APPEARANCE

In the use of agency project funds, officials or employees of State or local units of government and non-governmental recipient/subrecipients shall avoid any action which might result in, or create the appearance of:

- Using his or her official position for private gain;
- Giving preferential treatment to any person;
- Losing complete independence or impartiality;
- Making an official decision outside official channels; or
- Affecting adversely the confidence of the public in the integrity of the government or the program.

For example, where a recipient of federal funds makes sub-awards under any competitive process and an actual conflict or an appearance of a conflict of interest exists, the person for whom the actual or apparent conflict of interest exists should recuse himself or herself not only from reviewing the application for which the conflict exists, but also from the evaluation of all competing applications.

Part II:

Pre-Award Requirements

CHAPTER 1: Application Process
CHAPTER 2: Conditions of Award and Acceptance
CHAPTER 3: Standards for Financial Management Systems

Chapter 1: Application Process

HIGHLIGHTS OF CHAPTER:

- Eligible Recipients
- Program Announcements
- Certified Assurances (Non-Discrimination Requirements)
- Intergovernmental Review
- Application Review
- Federal Debt (OMB Circular A-129)
- Financial Analysis
- Debarment and Suspension Certification
- Drug-Free Workplace Certification
- Lobbying Certification
- Seat Belt Use by Government Contractors, Subcontractors, and Grantees
- Tribal Eligibility Government Discount Airfare
- Policy on Making Awards

ELIGIBLE RECIPIENTS

Block and formula grants may be awarded to States or units of local government and non-profit organizations, based upon statutory authority. (See appropriate program guidelines for eligibility.) Discretionary awards may be awarded to States, units of local government, Indian tribes and tribal organizations, individuals, educational institutions, hospitals, and private non-profit and private commercial organizations (if legislation allows) at the discretion of the awarding agency.

PROGRAM ANNOUNCEMENTS

Programmatic and technical requirements relating to block and formula grant applications are contained in block and formula grant guidelines available from the awarding agency. The awarding agency announces the programs which it has developed for funding under its discretionary award program in the Federal Register. A compilation of available assistance programs may also be found in the Catalog of Federal Domestic Assistance (CFDA) published by the U. S. General Services Administration.

CERTIFIED ASSURANCES (NON-DISCRIMINATION REQUIREMENTS)

Applicants must assure and certify that they comply, and assure the compliance of their subrecipients, with all applicable civil rights non-discrimination requirements as set forth on the OJP Assurances Form 4000/3 (Attachment to SF 424).

In the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, national origin, sex, or disability against a recipient of Federal funds, or any subgrantee or contractor of that recipient, a copy of such findings must be forwarded to the Office for Civil Rights, Office of Justice Programs.

All recipients and their subrecipients must also provide the Office for Civil Rights with an Equal Employment Opportunity Plan, if required to maintain one, where the award is $500,000 or more.

INTERGOVERNMENTAL REVIEW

If the State has established a process for the review of Federal programs and activities eligible under Executive Order 12372 and a particular program has been selected for review by the State, applicants for the program must submit a copy of their application to the State “single point of contact” (SPOC) prior to or at the same time that the application is submitted to the awarding agency. Additional information concerning this requirement is contained in the individual program announcements.

NOTE: The awarding agency is required to assure that awards meet certain legislative, regulatory, and administrative requirements. This agency’s policy is to provide assurance that awards are only for allowable, allocable, fair and reasonable costs. Awards must be made only to eligible recipients. Applicants must possess the responsibility, financial management, fiscal integrity, and financial capability necessary to adequately and appropriately administer Federal funds. The awarding agency follows the requirements stipulated in the administrative requirements for grants and agreements that are codified at 28 CFR Part 66 and 28 CFR Part 70. In complying with these requirements, the awarding agency will perform the following procedure.

APPLICATION REVIEW

An examination of the Application for Federal Assistance (SF 424) is conducted to determine:

1. **Type of Applicant.** An example is a new applicant (organizations that have not had an active award within the last two fiscal years, not-for-profit (NPO), for-profit, State, or local unit of government, etc.).

2. **High Risk Applicant.** The awarding agency will obtain credit reports before making awards to new or high risk recipients (except State and local governments, including public colleges, universities, hospitals, or Federally recognized Indian tribal governments). Also, the awarding agency shall obtain credit reports on any applicant when there is reason to believe that performance is substandard or there is evidence of financial irregularities. When an applicant is considered high risk by an agency, then all other like agencies must also consider the applicant high risk. For example, if BJA were to consider an applicant high risk and require progress reports be submitted more frequently, then other agencies, such as OJJDP or OVC, must also consider the applicant high risk.

3. **Accuracy of Taxpayer Identification Number (TIN).** This number includes the social security numbers (SSN) for individuals or employer identification numbers (EIN)[1] for business entities, which are used to identify our customers.

4. **Applicant Federal Debt.** The SF 424 includes a question about whether there is Federal debt. That question applies to the organization requesting the financial assistance, not the person who signs the application as the authorized representative of the organization. Categories of debt include delinquent audit disallowances, loans, and taxes.

5. **Financial Capability.** When the applicant is a non-governmental entity and if there has been no recent history with OJP, a financial capability questionnaire will be provided to the applicant. This questionnaire should be submitted to the awarding agency before the award is made.

6. **Dun & Bradstreet (D&B) Data Universal Numbering System (DUNS).** Effective October 1, 2003, all grant applicants must have a DUNS number when applying for Federal grants and cooperative agreements (initial or supplemental awards). Organizations may receive a DUNS number at no cost, by calling the toll-free DUNS Number request line at 1-(866)-705-5711. Individuals who apply for grant awards or cooperative agreements from the Federal government are exempt from this requirement.

FEDERAL DEBT (OMB CIRCULAR A-129)

The awarding agency holds recipients accountable for any overpayment, audit disallowances, or any other breach of award that results in a debt owed to the Federal government. The Debt Collection Act of 1996 states that if, after written notification, grantee payments continue to be delinquent, the debt will be referred to a collection agency for further action. The awarding

[1] *The awarding agency uses the SSN or EIN to track awards. There is no relationship to the Social Security Administration or the Internal Revenue Service. In certain circumstances, an arbitrary EIN will be assigned, e.g. awards made directly to subunits of government which need an identifier distinct from that of their parent agency.*

agency shall apply interest, penalties, and administrative costs to a delinquent debt owed by a debtor pursuant to the Federal Claims Collection Standards and OMB Circular A-129.

FINANCIAL ANALYSIS

The analysis of project applications includes:

1. Performing a cost analysis of each project application considered for funding by the awarding agency. Cost analysis includes obtaining cost breakdowns, verifying cost data, evaluating specific elements of costs, and examining data to determine the necessity, reasonableness, allowability, allocability, and appropriateness of the proposed cost. The form and extent of such an analysis will be determined by the awarding agency.

2. Accepting current indirect cost rates approved by the Department of Justice, or rates approved by other Federal agencies. If applicants do not have an approved rate, they must submit an indirect cost proposal to their cognizance Federal agency.

3. Determining the adequacy of the applicant's accounting system and operations to ensure that Federal funds, if awarded, will be expended in a judicious manner. Where a non-governmental applicant (except public colleges, universities, and hospitals) has never received an award, the organization's accounting system should be reviewed prior to award or within a reasonable time thereafter to assure its adequacy and acceptability. This review should also apply where known financial or management deficiencies exist. The results of the review will determine the action to be taken by the awarding agency with regard to the award. Where an applicant has had prior awards, outstanding audit issues and delinquent audit, financial, or progress reports must be resolved prior to awarding additional discretionary funds.

4. Reviewing credit reports, delinquency status of Federal debt, and other prescreening information. The awarding agency will take such information into account when considering the application for award.

DEBARMENT AND SUSPENSION CERTIFICATION

This certification must be completed prior to recommendation for or against an award. The government-wide common rule for debarment and suspension, 28 CFR Part 67, provides guidance on requirements that recipients shall meet in order to receive Federal funds.

1. Title 28 of the CFR Part 67 provides that executive departments and agencies shall participate in a system for debarment and suspension from programs and activities involving Federal financial and non-financial assistance and benefits. Debarment or suspension of a participant in a program by one agency has government-wide effect. It is the policy of the Federal government to conduct business only with responsible persons, and these guidelines will assist agencies in carrying out this policy.

2. Certification Regarding Debarment, Suspension, Ineligibility, and Other Responsibility Matters Primary Covered Transactions (OJP Form 4061/2 or like form). Certifications must be completed and submitted by recipients of discretionary awards to the awarding agency's program offices during the application stage. Block/formula recipients are exempt from

submission of this certification but are responsible for monitoring subrecipient submissions of the lower tier certification (OJP Form 4061/1) and for maintaining them at the State level.

3. Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion — Lower Tier Covered Transactions (OJP Form 4061/1 or like form). This requirement includes persons, corporations, etc. that have critical influence on or substantive control over the award. The direct recipient will be responsible for monitoring the submission and maintaining the official subrecipient certifications.

In summary, the debarment and suspension common rule requires that both recipients and their subrecipients certify they will comply with the debarment and suspension common rule. Subcontractors are not required to certify if their subaward is less than $100,000.

DRUG-FREE WORKPLACE CERTIFICATION

This certification must be submitted prior to recommendation for or against an award. The government-wide common rule for drug-free workplace, 28 CFR Part 83, provides guidance on requirements that recipients shall meet in order to receive Federal funds.

Subpart F of 28 CFR Part 83 implements the statutory requirements of the Drug-Free Workplace Act of 1989. All recipients receiving awards from any Federal agency shall certify to that agency that they will maintain a drug-free workplace or in the case of a recipient, who is an individual, certifies to the agency that his or her conduct of award activity will be drug-free. If a recipient makes a false certification, the recipient is subject to suspension, termination, and debarment.

1. The State agency responsible for administering the block/formula award shall submit a drug-free workplace certification to the awarding agency and shall be responsible for obtaining a drug-free workplace certification from each State agency that is subawarded funds. Subrecipients that are not State agencies are not required to submit a drug-free workplace certification.

2. A recipient is required to make the required certification for each award. The one exception to this rule is that a recipient which is a State, including a State agency, may elect to make a single annual certification to each awarding agency from which it obtains awards, rather than making a separate certification for each award or workplace. Only one such annual certification needs to be made to each Federal agency which will cover all of that State agency's workplaces.

3. There are two different certifications: one for individuals and one for organizations. The individual recipient certifies that he or she will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in conducting any activity with the award. The organizational recipient certifies that it will provide a drug-free workplace by:

    a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the recipient's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing a drug-free awareness program to inform employees about:

   (1) The dangers of drug abuse in the workplace;

   (2) The recipient's policy of maintaining a drug-free workplace;

   (3) Any available drug counseling, rehabilitation, and employee assistance programs; and

   (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the employer's statement about drugs in the workplace.

d. Notifying the employee that, as a condition of employment under the award, the employee will:

   (1) Abide by the terms of the statement and

   (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction.

e. Notifying the awarding agency within ten days after receiving notice from an employee or otherwise receiving actual notice of such conviction.

f. Taking one of the following actions, within 30 days of receiving notice, with respect to any employee who is so convicted:

   (1) Taking appropriate personnel action against such an employee, up to and including termination or

   (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, local health, law enforcement, or other appropriate agency.

g. Making a good faith effort to continue to maintain a drug-free workplace.

In summary, the drug-free workplace common rule requires that ONLY direct recipients of Federal awards certify they will comply with the drug-free workplace common rule. There is no dollar threshold for certification.

LOBBYING CERTIFICATION

This certification must be submitted prior to recommendation for or against an award. The Department of Justice's (DOJ) codification of the government-wide common rule for restrictions on lobbying, 28 CFR Part 69, provides guidance on requirements that recipients shall meet in order to receive Federal funds. (See also discussion on Lobbying; Part III: Post-Award Requirements, Chapter 16: Unallowable Costs).

The following restrictions on lobbying are applicable to all recipients and subrecipients (in addition to the restrictions imposed by recent revisions to 18 U.S.C. Sec §1913). Interim Final Guidance for New Restrictions on Lobbying was published in the *Federal Register* in December 1989. The Lobbying Disclosure Act of 1995 included amendments that have an impact on the guidance provided in 1989. Per 31 USC 1352, the restrictions on lobbying are as follows:

1. No Federally appropriated funds may be expended by the recipient of a Federal award, cooperative agreement, or contract to pay a person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract; the making of any Federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, or cooperative agreement.

2. Each person who requests or receives from an agency an initial Federal contract, award, or cooperative agreement (including subcontracts, subawards, and contracts under cooperative agreements) exceeding $100,000 shall file with that agency a certification regarding lobbying. The certification shall be submitted to the agency making the award. Each person is certifying that:

    a. He/she has not made and will not make any payment for a lobbying activity.

    b. If any non-Federal funds have been paid or will be paid to any person, he/she will complete and submit a “Disclosure of Lobbying Activities” form (Disclosure Form).

    c. The language of this certification will be included in his/her award documents for all subawards at all tiers (including subcontracts, subawards and contracts under awards, and cooperative agreements), and all subrecipients shall certify and disclose accordingly.

    d. Each person, if applicable, shall submit the Disclosure Form to the agency making the award. The recipient or subrecipient is responsible for reporting lobbying activities of its employees if the employee’s tenure is less than 130 working days within one year immediately preceding the date of the recipient’s or subrecipient’s application or proposal submission.

    e. A subrecipient who requests or receives Federal funds exceeding $100,000 shall be required to file with the agency making the award a certification and a Disclosure Form, if applicable. All certifications shall be maintained by the agency making the award and all Disclosure Forms shall be forwarded from tier to tier until received by the Federal agency making the award. That agency shall forward all Disclosure Forms to the awarding agency. The Disclosure Form shall contain the following information:

        (1) Name and address of reporting entity;

        (2) Federal program name;

        (3) Federal award number;

(4) Federal award amount; and

(5) Name and address of lobbying registrant.

3. The above requirements DO NOT apply to Federally-recognized-Indian tribes, or tribal organizations, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.

4. Each person shall file a Disclosure Form at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any Disclosure Form previously filed by such persons. Examples of such events are:

   a. A cumulative increase of $25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action;

   b. A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or

   c. A change in the officer(s), employee(s), or member(s) contacted to influence or attempt to influence a covered Federal action.

5. Penalties and enforcement of lobbying restrictions shall be as follows:

   a. Any person who makes an expenditure prohibited by the New Restrictions on Lobbying shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such expenditure.

   b. Any person who fails to file or amend the Disclosure Form to be filed or amended, if required, shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

In summary, the common rule for lobbying requires that recipients and their subrecipients certify they will comply with the lobbying common rule. This requirement is only for awards made exceeding $100,000. (See Part III, Chapter 16: Unallowable Costs for cost restrictions relating to lobbying).

In order to comply with the certification requirements provided in the common rules for lobbying, drug-free workplace, and suspension and debarment (so that recipients do not have to sign three certifications), we have combined them into OJP Form 4061/6, entitled “Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements”.

SEAT BELT USE BY GOVERNMENT CONTRACTORS, SUBCONTRACTORS, AND GRANTEES

Pursuant to 23 USC §§402, 403, and 29 USC §668, each recipient agency of Federal contracts, subcontracts, and grants shall encourage adoption and enforcement of on-the-job seat belt policies

and programs for its employees, contractors, and subrecipients when operating companyowned, rented, or personally owned vehicles.

TRIBAL ELIGIBILITY—GOVERNMENT DISCOUNT AIRFARE

Tribal organizations carrying out a contract, grant, or cooperative agreement are eligible to have access to Federal sources of supply, including lodging providers, airlines, and other transportation providers. Section 201(a) of the Federal Property and Administrative Services Act, 40 USC §481(a), indicates that employees of tribal organizations are eligible to have access to sources of supply on the same basis as employees of an executive agency if a request is made by the tribal organization.

POLICY ON MAKING AWARDS

This agency will not make an award to any applicant who has an overdue audit report or an open audit report where the recipient has not attempted to respond or has taken no action to resolve findings. Every applicant for funding is on notice that unless they are in compliance with the audit requirements, their application may be rejected. Exceptions to this policy are by recommendation of the Comptroller, OJP, to the awarding agency.

NOTES

Chapter 2: Conditions of Award and Acceptance

HIGHLIGHTS OF CHAPTER:

- Award Document
- Award Notification and Acceptance Procedures
- Special Conditions
- Federal Obligation Process
- Automated Clearing House (ACH) Enrollment

AWARD DOCUMENT

After completion of the internal review process, award applications designated for approval are formally awarded through the issuance of an Award Document. This document includes:

- Name of recipient and subrecipient (if applicable);
- Award period;
- Type of Federal funds;
- Amount of Federal funds;
- Award number; and
- Special conditions, as appropriate, that the recipient/subrecipient must meet if the award is accepted.

Correspondence concerning the award should refer to the designated award number shown on the Award Document.

AWARD NOTIFICATION AND ACCEPTANCE PROCEDURES

Beginning January 2004, the grant recipient began receiving an e-mail notification on the award date from the Grants Management System (GMS) instructing the organization to accept the award.

The Award Document constitutes the operative document obligating and reserving Federal funds for use by the recipient in execution of the program or project covered by the award. If the recipients fail to affirm their timely utilization of the award by accepting WITHIN 45 DAYS from the date of the award, the obligation will be terminated without further cause. COPS awards have a 90-day acceptance timeframe.

If grant recipients choose to accept the award and all of the special conditions, they should:

1. Print and read the award document carefully;
2. If they agree with the award, obtain an official authorized signature;
3. Initial and date the bottom right corner of every special conditions page; and
4. Fax both the award document and the special conditions page(s) to (202) 353–8475.

If grant recipients choose not to accept the award and all the special conditions, they should contact Customer Service at 1–(800)–458–0786 or e-mail ask.oc@usdoj.gov.

No Federal funds will be disbursed to the recipient until signed acceptance has been received by the awarding agency.

NOTE: By signing the award acceptance, the recipient acknowledges that the Project Director must be an employee of the recipient's organization.

SPECIAL CONDITIONS

These include terms and conditions of the award. They may include special provisions for audit, conferences, and disposition of program income.

1. **All Awards** will include special conditions concerning: (a) compliance with this guide; (b) compliance with the audit requirements; and (c) the submission of an Equal Employment Opportunity Plan. Failure to comply with special conditions may result in a withholding of funds.

   Also, the recipient, upon accepting the award, agrees to complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility Verification form (I-9). This form is to be used by recipients of Federal funds to verify that persons are eligible to work in the United States.

2. **Commercial Award** recipients receiving grant funding from OJP should be aware of the additional special conditions placed on these awards. In addition to the three special conditions referenced in the "All Awards" section, commercial organizations must agree not to make a profit as a result of an award and not to charge a management fee for the performance of an award. Also, commercial organizations must agree to comply with the Federal Acquisition Regulations cost principles.

3. **Information Technology (IT) Award** recipients are prohibited from drawing funds against the award until the recipient notifies the State Information Technology Point of Contact by written correspondence of the information technology project. This correspondence should include a brief description of the project. A copy of the correspondence should be sent to the program manager. Once the copy has been received, the program manager will retire this condition and inform the recipient of this action. If there is no State Information Technology Point of Contact, the recipient agrees to submit a letter to the program manager stating that this condition is not applicable for that reason. The intent of this condition is to facilitate information system communication. This condition does not require that the point of contact concur with the information technology project.

4. **Cancellation for Block and Formula Subawards.** The State must condition each block and formula subaward to include the following cancellation procedures.

   a. **Commencement Within 60 Days.** If a project is not operational within 60 days of the original start date of the award period, the subrecipient must report by letter to the State the steps taken to initiate the project, the reasons for delay, and the expected start date.

   b. **Operational Within 90 Days.** If a project is not operational within 90 days of the original start date of the award period, the subrecipient must submit a second statement to the State explaining the implementation delay. Upon receipt of the 90-day letter, the State may cancel the project and request Federal agency approval to redistribute the funds to other project areas. The State may also, where extenuating circumstances warrant, extend the implementation date of the project past the 90-day period. When this occurs, the appropriate subaward files and records must so note the extension.

FEDERAL OBLIGATION PROCESS

After an award has been signed by the Federal awarding agency, the amount of the award is considered an obligation of the Federal government and is recorded as such in its accounting system. Appropriated funds are thereby reserved against the award until all monies are expended by the recipient and subrecipient or, in the case of non-utilization of funds within statutory or other time limits, appropriated funds revert to the awarding agency through deobligation of the unused balance. In order for a recipient to receive payment once funds are obligated in OJP's accounting system, a current SF 269A for the grant on which payment is requested must be on file with OJP. If the award date is after the begin date of the award, the first SF 269 submitted to OJP should cover the period from the begin date of the award to the end of the calendar quarter in which the award was made.

AUTOMATED CLEARING HOUSE (ACH) ENROLLMENT

The ACH Enrollment Form provides OJP with banking information used to establish electronic funds transfer. Recipients are required to submit the completed ACH form which must bear the original signature of the authorized official of the recipient's financial institution. The ACH form may be found at www.ojp.usdoj.gov/oc under "Standard Forms."

If you are a new grant recipient, the ACH form can also be found in the Phone Activated Paperless Request System (PAPRS) information packet.

If you are not a new grant recipient and would like to revise your current ACH form, the form may be found in Appendix I of this Guide, or you may download it from the above web-site address.

The original signed document must be submitted to OJP Control Desk at 810 Seventh Street NW, Washington, DC 20531. The ACH information is used by the U.S. Department of the Treasury to transmit payment data, by electronic means, to the recipient financial institution. Failure to provide the requested information will delay or prevent the receipt of payments.

Chapter 3: Standards for Financial Management Systems

HIGHLIGHTS OF CHAPTER:

- Accounting System
- Total Cost Budgeting and Accounting
- Commingling of Funds
- Recipient and Subrecipient Accounting Responsibilities
- Cash Depositories
- Supplanting

All recipients are required to establish and maintain accounting systems and financial records to accurately account for funds awarded to them. These records shall include both Federal funds and all matching funds of State, local, and private organizations, when applicable.

State recipients shall expend and account for grant funds in accordance with State laws and procedures for expending and accounting for their own funds. Subrecipients of States shall follow the financial management requirements imposed on them by States. (State and local procedures must ensure that subrecipients comply with the financial management standards found at 28 CFR Parts 66 and 70.)

ACCOUNTING SYSTEM

The recipient is responsible for establishing and maintaining an adequate system of accounting and internal controls for itself, and for ensuring that an adequate system exists for each of its subrecipients. An acceptable and adequate accounting system:

1. Presents and classifies projected historical cost of the grant as required for budgetary and evaluation purposes;

2. Provides cost and property control to ensure optimal use of funds;

3. Controls funds and other resources to assure that the expenditure of funds and use of property conform to any general or special conditions that apply to the recipient;

4. Meets the prescribed requirements for periodic financial reporting of operations; and

5. Provides financial data for planning, control, measurement, and evaluation of direct and indirect costs.

Funds may be awarded as formula/block or discretionary awards. The various financial requirements and formulas of the awarding agency's programs, as well as the need for recipients to separately account for individual awards, require a special program account structure extending beyond normal classification by type of receipts, expenditures, assets, and liabilities.

1. **Block and Formula Awards**. To properly account for block and formula awards, the State should establish and maintain program accounts which will enable separate identification and accounting for:

    a. Formula and block grant funds expended through programs of local government; and

    b. Formula funds utilized to develop a State plan and to pay that portion of expenditures necessary for administration.

2. **Discretionary Awards.** To properly account for discretionary awards, all recipients should establish and maintain program accounts which will enable, on an individual basis, separate identification and accounting for:

    a. Receipt and disposition of all funds (including project income);

    b. Funds applied to each budget category included within the approved award;

c. Expenditures governed by any special and general provisions; and

d. Non-Federal matching contribution, if required.

TOTAL COST BUDGETING AND ACCOUNTING

Accounting for all funds awarded by the Federal agency shall be structured and executed on a "total program cost" basis. That is, total program costs, including Federal funds, State and local matching shares, and any other fund sources included in the approved project budget or received as program income shall be the foundation for fiscal administration, accounting, and audit. Unless otherwise prohibited by statute, applications for funding and financial reports require budget and cost estimates on the basis of total costs.

COMMINGLING OF FUNDS

Federal agencies shall not require physical segregation of cash deposits or the establishment of any eligibility requirements for funds which are provided to a recipient. However, the accounting systems of all recipients and subrecipients must ensure that agency funds are not commingled with funds from other Federal agencies. Each award must be accounted for separately. Recipients and subrecipients are prohibited from commingling funds on either a program-by-program or project-by-project basis.

Funds specifically budgeted and/or received for one project may not be used to support another. Where a recipient's or subrecipient's accounting system cannot comply with this requirement, the recipient or subrecipient shall establish a system to provide adequate fund accountability for each project it has been awarded.

RECIPIENT AND SUBRECIPIENT ACCOUNTING RESPONSIBILITIES

1. **Reviewing Financial Operations.** Direct recipients should be familiar with, and periodically monitor, their subrecipients' financial operations, records, system, and procedures. Particular attention should be directed to the maintenance of current financial data.

2. **Recording Financial Activities.** The subrecipient's award or contract obligation, as well as cash advances and other financial activities, should be recorded in the books of the recipient in summary form. Subrecipient expenditures should be recorded on the books of the recipient or evidenced by report forms duly filed by the subrecipient. Non-Federal contributions applied to programs or projects by subrecipients should likewise be recorded, as should any program income resulting from program operations.

3. **Budgeting and Budget Review.** The recipient should ensure that each subrecipient prepares an adequate budget on which its award commitment will be based. The detail of each project budget should be maintained on file by the recipient.

4. **Accounting for Non-Federal Contributions.** Recipients will ensure that the requirements, limitations, and regulations pertinent to non-Federal contributions are applied.

5. **Audit Requirements.** Recipients must ensure that subrecipients have met the necessary audit requirements contained in this Guide (see Part III, Chapter 19: Audit Requirements).

6. **Reporting Irregularities.** Recipients and their subrecipients are responsible for promptly notifying the awarding agency and the Federal cognizant audit agency of any illegal acts or irregularities and of proposed and actual actions, if any. Please notify the Office of the Comptroller Customer Service Center at 1-(800)-458-0786 if any irregularities occur. Illegal acts and irregularities include conflicts of interest, falsification of records or reports, and misappropriation of funds or other assets.

7. **Debarred and Suspended Organizations.** Recipients and subrecipients must not award or permit any award at any level to any party which is debarred or suspended from participation in Federal assistance programs. For details regarding debarment procedures, see 28 CFR Part 67, Government-wide Debarment and Suspension (Nonprocurement) and 28 CFR Part 83 Government-wide Requirements for Drug-free Workplace (Grants).

8. **Bonding.** The awarding agency may require adequate fidelity bond coverage where recipient lacks sufficient coverage to protect the Federal government interest (see OMB Circular A-110, Attachment, Subpart C, paragraph 21(c)).

Where the conduct of a program or one of its components is delegated to a subrecipient, the direct recipient is responsible for all aspects of the program including proper accounting and financial recordkeeping by the subrecipient. Responsibilities include the accounting of receipts and expenditures, cash management, the maintaining of adequate financial records, and the refunding of expenditures disallowed by audits.

CASH DEPOSITORIES

In accordance with the administrative requirements for government and non-governmental entities, recipients are encouraged to use minority banks (banks which are owned at least 50 percent by minority group members). A list of minority-owned banks may be obtained from the Minority Business Development Agency, Department of Commerce, Washington, DC 20230.

SUPPLANTING

Federal funds must be used to supplement existing funds for program activities and must not replace those funds that have been appropriated for the same purpose. Supplanting will be the subject of application review, as well as pre-award review, post-award monitoring, and audit. If there is a potential presence of supplanting, the applicant or grantee will be required to supply documentation demonstrating that the reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds. For certain programs, a written certification may be requested by the awarding agency or recipient agency stating that Federal funds will not be used to supplant State or local funds.

Part III:

Post Award Requirements

CHAPTER 1: Payments
CHAPTER 2: Period of Availability of Funds
CHAPTER 3: Matching or Cost Sharing
CHAPTER 4: Program Income
CHAPTER 5: Adjustments to Awards
CHAPTER 6: Property and Equipment
CHAPTER 7: Allowable Costs
CHAPTER 8: Confidential Funds
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CHAPTER 10: Procurement Under Awards of Federal Assistance
CHAPTER 11: Reporting Requirements
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CHAPTER 13: Sanctions
CHAPTER 14: Termination for Convenience
CHAPTER 15: Costs Requiring Prior Approval
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CHAPTER 17: Indirect Costs
CHAPTER 18: Closeout
CHAPTER 19: Audit Requirements

Chapter 1: Payments

HIGHLIGHTS OF CHAPTER:

- Payment Methods
- Notification of Payments
- Withholding of Funds
- Minimum Cash on Hand
- Interest Earned
- Cash Management Improvement Act of 1990

PAYMENT METHODS

The Office of Justice Programs (OJP) has three methods for requesting payment of grant funds: the Letter-of- Credit Electronic Certification System (LOCES), the Phone Activated Paperless Request System (PAPRS) and the Automated Standard Application for Payments (ASAP). Recipients are required to submit the completed Automated Clearing House (ACH) electronic funds transfer form bearing the original signature of the authorized official of the recipient's financial institution. The Debt Collection Act of 1996 states that all eligible recipients of Federal payments must receive funds electronically. Recipients are also reminded to coordinate with their respective financial institutions for an addendum record which contains payment-related information for their records. Additionally, in order for a recipient to receive payments requested, a current SF 269A for the grant on which payment is requested must be on file with OJP.

LOCES is a modem connection service that allows recipients of OJP funds to electronically request payment from OJP on one day and receive a direct deposit to their bank for the requested funds, usually on the following day. To make requests for payment through LOCES, an organization must have a personal computer with a 1200 or 2400 baud capable modem operating with DOS 3.1 or later versions. OJP requires the contact names, telephone numbers, and addresses of various individuals who will be involved in LOCES. After the LOCES Computer Information Form is received, a complete information package is sent out which contains the Vendor Express enrollment form, SF 3881. After this form is received, the LOCES program diskette and passwords are mailed separately to the authorized user to ensure security of the system.

PAPRS allows grant recipients immediate access to OJP funds through the use of a touch tone telephone. The use of electronic means to transfer money from the U.S. Treasury became law under the Debt Collection Improvement Act passed by Congress and signed by President Clinton effective July 26, 1996. Grant recipients should complete and return the ACH Enrollment Form (Appendix I) included in the PAPRS information packet and return it to the OJP Control Desk. Through the combined use of PAPRS and ACH, approved requests will be deposited into the grantee's financial institution within 48 hours. Grantees will receive their password/PIN and corresponding Grant ID numbers from AD.

The password is to be given only to authorized persons of the grantee organization and not given to subgrantees. The recipient is solely responsible for the security of this access code. AD provides a manual that has instructions for using the system.

ASAP uses an Internet connection that operates from either Netscape or Internet Explorer and requires no additional software. ASAP was developed by the Financial Management Service of the Department of Treasury and the Federal Reserve Bank of Richmond. ASAP is a recipient-initiated payment and information system designed to provide a single point of contact for the request and delivery of Federal Funds. Currently, OJP has initiated a pilot program with some of our grant recipients.

NOTIFICATION OF PAYMENTS

Grant recipients will receive an e-mail notification after a payment request has been successfully disbursed by the Office of the Comptroller and the U.S. Department of the Treasury.

The e-mail notification to the recipients will read as follows:

TO: OJP Grantee/Contractor
FROM: ojp.usdoj.gov
SUBJECT: Payment Request

Your payment(s) request has been processed for grant/invoice number(s): xxxx-xx-xxxx. The total amount is $XXX.XX. You should expect to receive payment in your bank account within 48 hours.

If you have any questions concerning this message, please contact our Customer Center at 1 (800) 458–0786 or by e-mail at ask.oc@usdoj.gov .

Also, in support of the continuing effort to meet the accelerated financial statement reporting requirements mandated by the U.S. Department of Treasury, OJP strongly suggests grantees make payment requests before the last five (5) working days of each month.

WITHHOLDING OF FUNDS

The awarding agency may withhold drawdowns to a recipient organization receiving cash funds by letter of credit or by electronic transfer of funds, if the recipient demonstrates any of the following:

1. Unwillingness or inability to attain program or project goals or to establish procedures that will minimize the time elapsing between the cash drawdowns and expenditure;

2. Inability to adhere to guideline requirements or special conditions;

3. Improper engagement of awarding and administering subawards or contracts; and

4. Inability to submit reliable and/or timely reports.

The recipient organization may be required to finance its operation with its own working funds until such time the recipient is in compliance with its award.

MINIMUM CASH ON HAND

Whichever payment method is used, recipient organizations should request funds based upon immediate disbursement/reimbursement requirements. Funds will not be paid in a lump sum, but rather disbursed over time as project costs are incurred or anticipated (with the exception of Local Law Enforcement Block Grants (LLEBG), Juvenile Accountability Block Grants (JABG), and State Criminal Alien Assistance Program Grants (SCAAP) which are paid in a lump sum). Recipients should time their drawdown requests to ensure that Federal cash on hand is the minimum needed for disbursements/reimbursements to be made immediately or within 10 days.

Fund requests from subrecipients create a continuing cash demand on award balances of the State. The State should keep in mind that idle funds in the hands of subrecipients will impair the goals of cash management. All recipients must develop procedures for the disbursement of funds to ensure that Federal cash on hand is kept at a minimal balance.

INTEREST EARNED

Recipients and subrecipients shall minimize the time elapsing between the transfer and disbursement of funds. Recipients and subrecipients that administer confidential funds may establish different procedures for administering confidential funds to provide quick access to funds to meet the needs of the project. Also, interest income on LLEBG Block and JABG Block grants must be accounted for, reported as program income, and used in accordance with the provisions of Part III, Chapter 4: Program Income of this guide.

1. In accordance with Section 203 of the Intergovernmental Cooperation Act of 1968 (Pub. L. 90-577; 31 USC 6503(a)), a State and its subrecipient and any agency or instrumentality of a State, including State institutions of higher education and State hospitals, but not political subdivisions of a State (cities, towns, counties, and special districts created by State law) SHALL NOT be held accountable for interest earned on grant money pending its disbursement for program purposes.

   This refers to formula grant programs where subawards are made to local jurisdictions. Subrecipients under formula grant programs are held accountable for interest earned on advances.

2. In accordance with Sections 102, 103, and 104 of the Indian Self Determination Act (Pub. L. 93-638; USC 450(j)), tribal organizations SHALL NOT be held accountable for interest earned pending their disbursement by such organizations.

3. All local units of government (political subdivisions of a State, including cities, towns, counties and special districts created by State law) shall account for interest earned on Federal funds. Local units of government may keep interest earned on Federal grant funds up to $100 PER FEDERAL FISCAL YEAR. This maximum limit is not per award; it is inclusive of all interest earned as a result of all Federal grant program funds received per year. Interest earned in excess of $100, excluding LLEBG and JABG, must be remitted to the United States Department of Health and Human Services, Division of Payment Management Services, P.O. Box 6021, Rockville, MD 20852.

4. Nonprofit organizations shall account for interest earned on Federal funds. Nonprofit organizations may keep interest earned on Federal grant funds up to $250 PER FEDERAL FISCAL YEAR. This maximum limit is not per award; it is inclusive of all interest earned as a result of all Federal grant program funds received per year. Interest earned in excess of $250 must be remitted to the United States Department of Health and Human Services, Division of Payment Management Services, P.O. Box 6021, Rockville, MD 20852.

NOTE: Interest earned on LLEBG Block and JABG Block grants must be accounted for and reported as program income, and used in accordance with the provisions of Part III, Chapter 4, (Program Income) of this guide. Any unexpended program income should be remitted to the Office of Justice Programs, Office of the Comptroller, ATTN: Funds Control Branch, 810 7th Street, NW 5th Floor, Washington, D.C. 20531.

CASH MANAGEMENT IMPROVEMENT ACT OF 1990

The Cash Management Improvement Act (CMIA) was an amendment to the Intergovernmental Cooperation Act, 31 U.S.C. 6503. Under this provision, 31 U.S.C. 5(b) of Public Law 101-453, States are no longer exempted from payment of interest to the Federal Government for drawing down funds prior to the need to pay off obligations incurred. The provisions of 31 U.S.C. section 6503(c) (1) require that the States pay interest in the event that the States draw down funds before the funds are needed to pay for program expenses.

NOTES

Chapter 2: Period of Availability of Funds

HIGHLIGHTS OF CHAPTER:

- Redesignation of Fund Year
- Availability of Awards
- Obligation of Funds
- Expenditure of Funds
- Award Extension Criteria

REDESIGNATION OF FUND YEAR

States are prohibited from changing their block/formula awards and their related obligations and expenditures from one Federal fiscal year to another.

AVAILABILITY OF AWARDS

Block/formula grants administered by the Bureau of Justice Assistance (BJA) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) are awarded for the Federal fiscal year of the appropriation plus two additional Federal fiscal years.

Formula grants administered by the Office for Victims of Crime (OVC) are available for the fiscal year of the award plus three additional fiscal years.

Discretionary awards made by OJP offices and bureaus are awarded for a specified time, and a particular award period is established for each award (usually 12 or 18 months).

OBLIGATION OF FUNDS

An obligation occurs when funds are encumbered, such as in a valid purchase order or requisition to cover the cost of purchasing an authorized item on or after the begin date and up to the last day of the grant period in the award. Any funds not properly obligated by the recipient within the grant award period will lapse and revert to the awarding agency. The obligation deadline is the last day of the grant award period unless otherwise stipulated. (**Example:** If the award period is 10/1/98 to 9/30/99, the obligation deadline is 9/30/99.) Block/formula grantees and subgrantees must complete performance during the obligation period. Performance as a result of a contract under a block/formula grant may be completed during the expenditure period not to exceed 90 days after the end date of the grant.

No additional obligations can be incurred after the end of the grant.

NOTE: For LLEBG Block Grants, the obligation of funds and the request for drawdown of funds will begin after the required public hearing and advisory board meeting(s).

EXPENDITURE OF FUNDS

Block, formula, and discretionary funds which have been properly obligated by the end of the award period will have 90 days in which to be liquidated (expended). Any funds not liquidated at the end of the 90-day period will lapse and revert to the awarding agency, unless a grant adjustment notice extending the liquidation period has been approved. (**Example:** If the award period is 10/1/98 to 9/30/99, the expenditure deadline is 12/29/99.)

NOTE: For LLEBG Block Grants, all Federal funds including interest, revenue, dividend, and match must be spent within 2 years (24 months) from the date the grant payment is made to the jurisdiction. There are no extensions of the obligation/expenditure period of the award. The LLEBG Block Grant recipients will receive a Grant Adjustment Notice (GAN) that will identify both the obligation and expenditure periods. A GAN will indicate the appropriate 24-month obligation/expenditure period of an award.

AWARD EXTENSION CRITERIA

Block, formula, and discretionary awards (except for Victims Compensation, and Assistance funds) may be awarded an extension of the obligation date in response to a written extension request stating the need for the extension and indicating the additional time required. Written requests should be submitted in the following time frame:

- **Block/Formula Awards:** 90 calendar days before the end date of the award.

NOTE: Byrne Formula awards have new requirements to request extensions. The recipient should contact the BJA grant advisor for the additional requirements.

- **Discretionary Awards:** 90 calendar days before the end date of the award.

The extension allowable for any project period is generally 12 months, and requests for retroactive extension of project periods will not be considered. Generally, only one extension per award will be permitted. Application for an extension of the obligation period of a program or set of programs beyond 12 months must be justified by extraordinary circumstances beyond the control of the recipient and subrecipient.

Extensions will be considered only if the EXTENSION CRITERIA established below are met by the recipient at the time the request for the extension of the obligation deadline is submitted to the awarding agency for approval. Modifications of the general extension policy stated above are at the discretion of the awarding agency. Extension of the expenditure deadline date is allowable for all awards (including Victims Compensation and Assistance) upon written request for the extension and written approval by the awarding agency.

The criteria for extending the obligation or expenditure deadline for a project, program, or set of programs include the following:

1. **Financial Reports.** There must be on file with the awarding agency current and acceptable Financial Status Reports, SF 269As (formerly the H-1 Report), and all identified financial issues must be resolved.

2. **Special Conditions.** All special conditions attached to the award must be satisfied except those conditions that must be fulfilled in the remaining period of the award. This also includes the performance and resolution of audits in a timely manner.

3. **Extraordinary Circumstances Justification.** A narrative justification must be submitted with the project or program extension request. Complete details must be provided, including the justification and the extraordinary circumstances which require the proposed extension. Explain the effect of a denial of the request on the project or program.

4. **Approval.** The awarding agency is expected to take action on any proposed extension request within 15 working days after receipt of the request.

5. **Extension Avoidance.** To avoid the need to make a request to extend the obligation or expenditure deadline of a block/formula program, all subawards should be made at least six months prior to the end of the obligation deadline for the award.

Chapter 3: Matching or Cost Sharing

HIGHLIGHTS OF CHAPTER:

- Match Requirements
- Types of Match
  - Cash Match
  - In-kind Match
- Source and Type of Funds
- Timing of Matching Contribution
- Records for Match
- Waiver of Match
- Match Limitation

MATCH REQUIREMENTS

Match for the block/formula award program is to be provided for on a project-by-project basis, unless otherwise stated in the program guidelines. Any deviation from the program guidelines must receive the prior written approval of the awarding agency. Funds provided for a match must be used to support a Federally-funded project and must be in addition to, and therefore supplement, funds that would otherwise be made available for the stated program purpose. In the case of Byrne Formula Grants, the program area would be law enforcement. Match is restricted to the same use of funds as allowed for the Federal funds.

TYPES OF MATCH

1. **Cash Match** (hard) includes cash spent for project-related costs. Allowable cash match must include those costs which are allowable with Federal funds with the exception of the acquisition of land, when applicable.

2. **In-kind Match** (soft) includes, but is not limited to, the valuation of in-kind services. "In-kind" is the value of something received or provided that does not have a cost associated with it. For example, if in-kind match is permitted by law (other than cash payments), then the value of donated services could be used to comply with the match requirement. Also, third party in-kind contributions may count toward satisfying match requirements provided the grantee receiving the contributions expend them as allowable costs (see 28 CFR Part 66.24, Grants Management Common Rule for State and Local Units of Governments).

SOURCE AND TYPE OF FUNDS

Cash match (hard) may be applied from the following sources:

1. Funds from States and local units of government that have a binding commitment of matching funds for programs or projects.

2. Funds from the following:

   a. Housing and Community Development Act of 1974, 42 USC §5301, et seq. (subject to the applicable policies and restrictions of the Department of Housing and Development).

   b. Appalachian Regional Development Act of 1965, 40 USC §214.

3. Equitable Sharing Program, 21 USC §881(e) (current guidelines developed by the DOJ Asset Forfeiture Office apply). Forfeited assets used as match from the Equitable Sharing Program would be adjudicated by a Federal court.

4. Funds contributed from private sources.

5. Program income and the related interest earned on that program income generated from projects, provided they are identified and approved prior to making an award.

6. Program income funds earned from seized assets and forfeitures (adjudicated by a State court, as State law permits).

7. Funds appropriated by Congress for the activities of any agency of a Tribal government or the Bureau of Indian Affairs performing law enforcement functions on Tribal lands.

8. Sources otherwise authorized by law.

TIMING OF MATCHING CONTRIBUTIONS

Matching contributions need not be applied at the exact time or in proportion to the obligation of the Federal funds. However, the full matching share must be obligated by the end of the period for which the Federal funds have been made available for obligation under an approved program or project. Time-phased matching may be required by the awarding agency on awards to nongovernmental recipients.

RECORDS FOR MATCH

Recipients and their subrecipients must maintain records which clearly show the source, the amount, and the timing of all matching contributions. In addition, if a program or project has included within its approved budget contributions which exceed the required matching portion, the recipient must maintain records of them in the same manner as it does the awarding agency funds and required matching shares. For all block/formula funds, the State has primary responsibility for subrecipient compliance with the requirements. For all discretionary funds, the recipient and the subrecipient or contractual recipient have shared responsibility for ensuring compliance with the requirements regarding matching shares.

WAIVER OF MATCH

1. 42 USC §3754(a) of the Omnibus Crime Control Act provides that, in the case of funds distributed to an Indian tribe which performs law enforcement functions (as determined by the Secretary of the Interior) for any program or project described in 42 USC §3752 of the Crime Control Act, the Federal portion shall be 100 percent of such cost.

2. 42 USC §5675 (c) (1) of the Juvenile Justice Act provides that, in the case of an award under Title II to an Indian tribe, if the Administrator, Office of Juvenile Justice and Delinquency Prevention (OJJDP), determines that the tribe does not have sufficient funds available to meet the local share of the cost of any program or project to be funded under the award, the Administrator may increase the Federal share of the cost thereof to the extent the Administrator deems necessary. This provision applies also to cooperative agreements.

3. In accordance with 48 USC §1469a, the awarding agency, in its discretion, shall waive any requirement for matching funds under $200,000 otherwise required by law to be provided by the certain insular areas. This waiver applies to ALL awards made to American Samoa, Guam, Virgin Islands, and Northern Mariana Islands.

MATCH LIMITATION

A certification must be provided that Byrne Formula funds required paying the non-Federal portion of the cost of each program and project for which such grant is made may be in addition to funds that would otherwise be made available for law enforcement programs by the recipients of grant funds. This certification shall be in writing and submitted with the application for funding.

NOTES

Chapter 4: Program Income

HIGHLIGHTS OF CHAPTER:

- Use of Program Income
- Examples of Program Income and Disposition Requirements
    - Addition Method of Handling Program Income
    - Sale of Property
    - Royalties
    - Attorney's Fees and Costs
    - Registration/Tuition Fees
    - Asset Seizures and Forfeitures
    - Interest Earned on LLEBG and JABG Grant Funds
    - Membership Fees
- Accounting for Program Income
- Procedures for Recovery of Costs Incurred

USE OF PROGRAM INCOME

Program income may be used to supplement project costs or reduce project costs, or may be refunded to the Federal government. Program income may only be used for allowable program costs and must be expended prior to additional OJP drawdowns. (The draw down restriction does not apply to LLEBG and JABG).

EXAMPLES OF PROGRAM INCOME AND DISPOSITION REQUIREMENTS

1. **Addition Method of Handling Program Income.** In the absence of other restrictions on disposition contained within the award or the terms and conditions of the project, program income shall be added to the funds committed in the agreement. The program income shall be used as earned by the recipient/subrecipient for any purpose that furthers the broad objectives of the legislation under which the award was made (i.e., expanding the project or program, continuing the project or program that furthers the broad objectives of the State, obtaining equipment or other assets needed for the project or program, or for other activities that further the statute's objectives).

   Responsibilities:

   a. Primary recipients of block/formula recipients will be responsible for requiring subrecipients to comply with program income guidelines.

   b. Block/formula subrecipients and the awarding agency's discretionary recipients will be responsible for the implementation and compliance of program income guidelines.

   c. Technical assistance, where needed, will be provided by the Office of the Comptroller.

2. **Sale of Property.** In the case of real property purchased in part with Federal funds, the recipient and/or subrecipient may be permitted to retain title upon compensating the awarding agency for its fair share of the property. The Federal share of the property shall be computed by applying the percentage of the Federal participation in the total cost of the project for which the property was acquired to the current fair market value of the property.

3. **Royalties.** Recipient shall retain all royalties received from copyrights or other works developed under projects or from patents and inventions, unless the terms and conditions of the project provide otherwise, or a specific agreement governing such royalties has been negotiated between the awarding agency and the recipient.

4. **Attorney's Fees and Costs.** Income received pursuant to a court-ordered award of attorney's fees or costs, which is received subsequent to completion of the project, is program income to the extent that it represents a reimbursement for attorney's fees and costs originally paid under the award. Disposition of such program income is subject to the restrictions on the use of program income set forth in the award.

5. **Registration/Tuition Fees.** These types of program income shall be treated in accordance with disposition instructions set forth in the project's terms and conditions.

6. **Asset Seizures and Forfeitures.** Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (i.e., law enforcement entity). Income received from the sale of seized and forfeited assets (personal or real property) or from seized and forfeited money shall follow the "Addition Method" of handling program income unless an alternate method is designated in the recipient's award document. The following policies apply to program income from asset seizures and forfeitures:

    a. Subrecipient program income, with the approval of the recipient, may be retained by the entity earning the program income or used by the recipient for any purpose that furthers the objectives of the legislation under which the grant was made.

    b. States or local units of government MAY USE PROGRAM INCOME FUNDS FROM SEIZED AND FORFEITURE ASSETS AS MATCH when assets are adjudicated by a State Court, in accordance with the State law. In addition, State and local units of government MAY use cash received under the equitable sharing program for the non-Federal portion (match) of program costs, as provided for in the guidelines established by the DOJ Asset Forfeiture Office, when the assets are adjudicated by a Federal Court.

7. **Interest Earned on LLEBG and JABG Grants Funds.** Interest earned on LLEBG and JABG grant funds is considered program income and should be expended only on allowable purpose areas under these programs. Recipients are required to use all funds within the fixed expenditure period. No extensions of the expenditure periods will be approved. LLEBG and JABG recipients are not required to expend program income before applying Federal funds.

8. **Membership Fees.** When an organization receives membership fees and its only source of income is Federal grant funds, the membership fees will generally be considered program income. Where non-membership income is received and used to provide services to members in addition to the federally funded services, membership income may be considered program income in proportion to the amount of Federal and non-Federal funds received. However, to the extent that membership fees were received by the organization prior to the receipt of Federal grant funds, or are used to provide services to members that are separate and distinct from grant-funded services, the membership fees need not be reported as program income.

NOTE: Fines as a result of law enforcement activities are not considered program income.

ACCOUNTING FOR PROGRAM INCOME

All income generated as a direct result of an agency-funded project shall be deemed program income (e.g., if the purpose of the grant is to conduct conferences, any training fees that are generated would be considered program income). Program income must be used for the purposes and under the conditions applicable to the award. Unless specified by the awarding agency, program income should be used as earned and expended as soon as possible. If the cost is allowable under the Federal grant program, then the cost would be allowable using program income. If program income earned on a discretionary grant during the grant period remains at the end of the grant period, the recipient should request a no-cost extension of the grant period to provide the recipient with ample time to expend the program income for allowable project purposes. If there is no special condition on the award concerning the accounting for program income earned after the funding period, then such program income can be used at the discretion of

the recipient. The Federal portion of program income must be accounted for up to the same ratio of Federal participation as funded in the project or program. For example:

1. A discretionary project funded with 100 percent Federal funds must account for and report on 100 percent of the total program income earned. If the total program income earned was $20,000, the recipient must account for and report the $20,000 as program income on the Financial Status Report.

2. If a recipient was funded by formula/block funds at 75 percent Federal funds and 25 percent non-Federal funds and the total program income earned by the grant was $100,000, $75,000 must be accounted for and reported, by the recipient, as program income on the Financial Status Report.

PROCEDURES FOR RECOVERY OF COSTS INCURRED

1. **Authorization of Reimbursement.** When a State or local law enforcement agency provides information to the Internal Revenue Service (IRS) that substantially contributes to the recovery of Federal taxes imposed with respect to illegal drug-related activities (or money laundering in connection with such activities), the agency may be reimbursed by the IRS for costs incurred in the investigation (including but not limited to reasonable expenses, per diem, salary, and overtime) not to exceed 10 percent of the sum recovered.

2. **Records.** The IRS shall maintain records of the receipt of information from a contributing agency and shall notify the agency when monies have been recovered as the result of such information. Following such notification, the agency shall submit a statement detailing the investigative costs it incurred. Where more than one State or local agency has given information, the IRS shall equitably allocate investigative costs among the agencies not to exceed an aggregate amount of 10 percent of the taxes recovered.

3. **No Duplicative Reimbursement.** No State or local agency may receive reimbursement under Section 7624 if reimbursement has been received by the agency under a Federal or State forfeiture program or under State revenue laws.

4. **Awarding Agency Funds.** If the information/investigation is performed with awarding agency funds, the reimbursement received from the IRS would be program income and subject to the guidelines discussed above.

Chapter 5: Adjustments to Awards

HIGHLIGHTS OF CHAPTER:

- Types of Project Changes
- Notification
- Reprogramming of Funds
- Address Changes

All requests for programmatic and/or administrative budget changes must be submitted in a timely manner by the recipient/subrecipient. All requests for changes to the approved award shall be carefully reviewed by the applicable authority for both, consistency with this Guide and their contribution to project goals and objectives.

TYPES OF PROJECT CHANGES

1. Change in project site.

2. Changes which increase or decrease the total cost of the project.

3. Change in approved budget categories in excess of 10 percent of the total award amount. Movement of dollars between approved budget categories is allowed up to 10 percent of the total budget cost (total award amount) as last approved by the awarding agency provided there is no change in project scope. When the cumulative changes exceed 10 percent of the total award amount (includes the initial award plus the supplements) or change the scope of the project, prior approval from the awarding agency is required. (This 10-percent rule applies to awards over $100,000; however, if the total award is equal to or less than $100,000 and the scope of the project doesn't change, PRIOR APPROVAL IS NOT REQUIRED.)

4. Change in or temporary absence of the project manager/director.

5. Transfer of project.

6. Successor in interest and name change agreements.

7. Addition of an item to the project budget requiring prior approval.

8. Retirement of special conditions, if required. A Grant Adjustment Notice (GAN) that releases funds to retire special conditions will not be approved until the grantee is in administrative compliance, e.g., financial and progress reports are current.

9. Change in period (no cost extension).

10. Change in the scope of the programmatic activities or purpose of the project (includes goals and objectives).

NOTIFICATION

All recipients must give prompt notification in writing to the awarding agency of events or proposed changes which may require an adjustment/notification. In requesting an adjustment, the recipient must set forth the reasons and basis for the proposed change and any other data deemed helpful for awarding agency review.

REPROGRAMMING OF FUNDS

The movement of funds awarded under Crime Control programs from one program to another contained in an approved State block or formula award which results in deletion or addition of a program or change in the subrecipient must be approved by the awarding agency prior to the

expenditure of funds. The awarding agency will consider retroactive approval only in extremely unusual circumstances. When such retroactive approval is not considered warranted, the awarding agency will exercise its option to reduce the award by the amount of the unauthorized-reprogrammed funds.

ADDRESS CHANGES

Recipients are required to notify OJP of changes to their mailing address. Notification must be on the recipient's official letterhead, include the previous and new mailing addresses, list all grants awarded to the recipient, and be signed by the official (or successor) that signed the award document. Notification of address changes should be sent to:

OC Control Desk
Office of Justice Programs
810 7th Street, NW, 5th Floor
Washington, D.C. 20531

Recipients may obtain a listing of all grants awarded to them by contacting the OC Customer Service Center at 1-(800)-458-0786, or via e-mail at ask.oc@usdoj.gov.

NOTES

Chapter 6: Property and Equipment

HIGHLIGHTS OF CHAPTER:

- Acquisition of Property and Equipment
- Screening
- Loss, Damage, or Theft of Equipment
- Equipment Acquired with Crime Control Act Block/Formula Funds (BJA)
- Equipment Acquired with Juvenile Justice Act (OJJDP) Formula and Victims of Crime Act (OVC) Assistance (Formula) Funds
- Equipment and Non-Expendable Personal Property Acquired with Discretionary Funds
- Real Property Acquired with Formula Funds
- Real Property Acquired with Discretionary Funds
- Federal Equipment
- Replacement of Property (Equipment and Non-Expendable Personal Property)
- Retention of Property Records
- Supplies
- Copyrights
- Patents, Patent Rights, and Inventions

ACQUISITION OF PROPERTY AND EQUIPMENT

Recipients/subrecipients are required to be prudent in the acquisition and management of property with Federal funds. Expenditure of funds for the acquisition of new property, when suitable property required for the successful execution of projects is already available within the recipient or subrecipient organization will be considered an unnecessary expenditure.

NOTE: Equipment purchased using funds made available under Federal grants shall be year 2000 compliant and shall be able to process all time/date data after December 31,1999.

SCREENING

Careful screening should take place before acquiring property in order to ensure that it is needed, with particular consideration given to whether equipment already in the possession of the recipient/subrecipient organization can meet identified needs. While there is no prescribed standard for such review, recipient/subrecipient procedures may establish levels of review dependent on factors such as the cost of the proposed equipment and the size of the recipient or subrecipient organization.

The establishment of a screening committee may facilitate the process; however, a recipient or subrecipient may utilize other management techniques which it finds effective as a basis for determining that the property is needed and that it is not already available within the recipient's organization.

The awarding agency's program monitors must ensure that the screening referenced above takes place and that the recipient/subrecipient has an effective system for property management.

Recipients/subrecipients are hereby informed that if the awarding agency is made aware that the recipient/subrecipient does not employ an adequate property management system, project costs associated with the acquisition of the property may be disallowed.

LOSS, DAMAGE, OR THEFT OF EQUIPMENT

Recipients/subrecipients are responsible for replacing or repairing the property which is willfully or negligently lost, stolen, damaged, or destroyed. Any loss, damage, or theft of the property must be investigated and fully documented and made part of the official project records.

EQUIPMENT ACQUIRED WITH CRIME CONTROL ACT BLOCK/FORMULA FUNDS (BJA)

Equipment acquired shall be managed to ensure that the equipment is used for criminal justice purposes. Standards and procedures governing ownership, use, management, and disposition are as follows.

1. **Title.** The Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC §3789, et seq., Section 808, requires that the title to all equipment and supplies purchased with funds made available under the Crime Control Act shall vest in the criminal justice agency or non-profit organization that purchased the property, if it provides written certification to the State

office that it will use the property for criminal justice purposes. If such written certification is not made, title to the property shall vest in the State office, which shall seek to have the equipment and supplies used for criminal justice purposes elsewhere in the State prior to using it or disposing of it in any other manner.

2. **Use and Management.** A subrecipient or State shall use and manage equipment in accordance with its procedures as long as the equipment is used for criminal justice purposes.

3. **Disposition.** When equipment is no longer needed for criminal justice purposes, a State shall dispose of equipment (for both the State and subrecipients), in accordance with State procedures, with no further obligation to the awarding agency.

EQUIPMENT ACQUIRED WITH JUVENILE JUSTICE ACT (OJJDP) FORMULA AND VICTIMS OF CRIME ACT (OVC) ASSISTANCE (FORMULA) FUNDS

Equipment acquired under an award shall be managed to ensure that the equipment is used for criminal justice purposes. Standards and procedures governing ownership, use, management, and disposition are as follows.

1. **Title.** Title to equipment acquired under an award or subaward will vest upon acquisition in the recipient or subrecipient subject to the obligations and conditions set forth in 28 CFR Part 66.

2. **Use.**

   a. A State shall use equipment acquired under an award in accordance with State laws and procedures. The awarding agency encourages the States to follow the procedures set forth in this Guide.

   b. Other government recipients and subrecipients shall use equipment in accordance with the following requirements:

      (1) Equipment must be used by the recipient or subrecipient in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by a Federal agency.

      (2) The recipient or subrecipient shall also make equipment available for use on other projects or programs currently or previously supported by the Federal government, providing such use does not interfere with the work on the projects or programs for which it was originally acquired. First preference for other use shall be given to other programs or projects supported by the awarding agency. User fees should be considered and treated as program income to the project, if appropriate.

      (3) Notwithstanding program income, the recipient or subrecipient shall not use equipment acquired with funds to provide services for a fee to compete unfairly with private companies that provide equivalent services, unless specifically permitted or contemplated by Federal statute.

(4) When acquiring replacement equipment, recipients or subrecipients may use the equipment to be replaced as a trade-in or sell the equipment and use the proceeds to offset the cost of the replacement equipment, subject to the written approval of the awarding agency.

3. **Management.**

a. A State shall manage equipment acquired under an award to the State in accordance with State laws and procedures.

b. Other government recipient and subrecipient procedures for managing equipment (including replacement), whether acquired in whole or in part with project funds, will, at a minimum, meet the following requirements:

(1) Property records must be maintained which include:

(a) Description of the property;

(b) Serial number or other identification number;

(c) Source of the property;

(d) Identification of title holder;

(e) Acquisition date;

(f) Cost of the property;

(g) Percentage of Federal participation in the cost of the property;

(h) Location of the property;

(i) Use and condition of the property; and

(j) Disposition data, including the date of disposal and sale price.

(2) A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.

(3) A control system must exist to ensure adequate safeguards to prevent:

(a) Loss;

(b) Damage; or

(c) Theft of the property.

Any loss, damage, or theft shall be investigated by the recipient and subrecipient, as appropriate.

(4) Adequate maintenance procedures must exist to keep the property in good condition.

(5) If the recipient or subrecipient is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

4. **Disposition.**

a. A State recipient shall dispose of its equipment acquired under an award to the State in accordance with State laws and procedures.

b. Other government recipients and subrecipients shall dispose of the equipment when original or replacement equipment acquired under the award or subaward is no longer needed for the original project or program, or for other activities currently or previously supported by a Federal agency. Disposition of the equipment will be made as follows:

(1) Items with a current per unit fair market value of less than $5,000 may be retained, sold, or otherwise disposed of with no further obligation to the awarding agency.

(2) Items with a current per unit fair market value in excess of $5,000 may be retained or sold, and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment. Seller is also eligible for sale costs.

(3) In cases where a recipient or subrecipient fails to take appropriate disposition actions, the awarding agency may direct the recipient or subrecipient to take other disposition actions.

EQUIPMENT AND NON-EXPENDABLE PERSONAL PROPERTY ACQUIRED WITH DISCRETIONARY FUNDS

1. **Title.** Title to equipment acquired with Federal funds will vest upon acquisition in the recipient subject to the obligations and conditions set forth in 28 CFR Part 66 for State and local units of government, and in 28 CFR Part 70 for other recipients.

2. **Use.** A State shall use equipment acquired under an award by the State in accordance with State laws and procedures.

Local government recipients shall use equipment in accordance with the requirements contained in the section "EQUIPMENT ACQUIRED WITH JUVENILE JUSTICE ACT (OJJDP) FORMULA AND VICTIMS OF CRIME ACT (OVC) ASSISTANCE (FORMULA) FUNDS."

Other recipients shall use non-expendable personal property in the project or program for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original project or program, the recipients shall use the non-expendable personal property in connection with its other Federally-sponsored activities in the following order of priority:

a. Other projects of the awarding agency needing the property.

b. Grants of a State needing the property.

c. Projects of other Federal agencies needing the property.

3. **Management.**

a. A State shall manage its equipment acquired under an award in accordance with State laws and procedures.

b. Local government recipients and subrecipients shall manage equipment in accordance with requirements stated in the section "EQUIPMENT ACQUIRED WITH JUVENILE JUSTICE ACT (OJJDP) FORMULA AND VICTIM OF CRIME ACT (OVC) ASSISTANCE (FORMULA) FUNDS."

c. Other recipients' property management standards for non-expendable personal property shall include the following procedural requirements:

(1) Property records shall be maintained accurately and include:

(a) A description of the property;

(b) Manufacturer's serial number, model number, Federal stock number, or other identification number;

(c) Source of the property, including the award number;

(d) Whether title vests in the recipient or the Federal government;

(e) Acquisition date (or date received, if the property was furnished by the Federal government) and cost;

(f) Percentage (at the end of the budget year) of Federal participation in the cost of the project or program for which the property was acquired (not applicable to property furnished by the Federal government);

(g) Location, use, and condition of the property at the date the information was reported;

(h) Unit acquisition cost; and

(i) Ultimate disposition data, including date of disposal and sales price or the method used to determine current fair market value where a recipient compensates the Federal-sponsoring agency for its share.

(2) A physical inventory of property shall be taken and the results reconciled with the property records at least once every two years. Any differences between quantities determined by the physical inspection and those shown in the accounting records shall be investigated to determine the causes of the difference. The recipient shall, in connection with the inventory, verify the existence, current utilization, and continued need for the property.

(3) A control system shall be in effect to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft of non-expendable property shall be investigated and fully documented. If the property was owned by the Federal government, the recipient shall promptly notify the Federal agency.

(4) Adequate maintenance procedures shall be implemented to keep the property in good condition.

(5) Where the recipient is authorized or required to sell the property, proper sales procedures shall be established which would provide for competition to the extent practicable and result in the highest possible return.

4. **Disposition.**

a. A State shall dispose of its equipment acquired under the award by the State in accordance with State laws and procedures.

b. Local government recipients and subrecipients shall follow the disposition requirements in the section "EQUIPMENT ACQUIRED WITH JUVENILE JUSTICE ACT (OJJDP) FORMULA AND VICTIM OF CRIME ACT (OVC) ASSISTANCE (FORMULA) FUNDS."

c. Other recipients shall adhere to the following disposition requirements for non-expendable personal property:

(1) A recipient may use non-expendable personal property with a fair market value of less than $5,000 for other activities without reimbursement to the Federal government, or may sell the property and retain the proceeds.

(2) A recipient may retain non-expendable personal property with a fair market value of $5,000 or more for other uses provided that compensation is made to the awarding agency or its successor. The amount of compensation shall be computed by applying the percentage of Federal participation in the cost of the original project or program to the current fair market value of the property. If the recipient has no need for the property and the property has further use value, the recipient shall request disposition instructions from the awarding agency. The awarding agency shall determine whether the property can be used to meet the agency's requirements. If no requirement exists within that agency, the availability of the property shall be reported to the General Services Administration by the Federal agency to determine whether a requirement for the property exists in other Federal agencies. The awarding agency shall issue instructions to the recipient no later than 120 days after the recipient's request, and the following procedures shall govern:

(a) If so instructed, or if disposition instructions are not issued within 120 calendar days after the recipient's request, the recipient shall sell the property and reimburse the awarding agency an amount computed by applying to the sales proceeds the percentage of Federal participation in the cost of the grant. However, the recipient shall be permitted to deduct and retain from the Federal share $100 or

10 percent of the proceeds, whichever is greater, for the recipient's selling and handling expenses.

(b) If the recipient is instructed to ship the property to other agencies needing the property, the recipient shall be reimbursed by the benefiting Federal agency with an amount computed by applying the percentage of the recipient's participation in the cost of the project or program to the current fair market value of the property, plus any reasonable shipping or interim storage costs incurred.

(c) If the recipient is instructed to otherwise dispose of the property, the recipient shall be reimbursed by the awarding agency for such costs incurred in its disposition.

5. **Transfer of Title.** The awarding agency may reserve the right to transfer title to property acquired with Federal funds that have a fair market value of $5,000 or more to the Federal government or a third party named by the awarding agency, when such a third party is otherwise eligible under existing statutes. Such transfers are subject to the following standards:

   a. The property must be identified in the award or otherwise made known to the recipient in writing.

   b. The awarding agency shall issue disposition instructions within 120 calendar days after the end of the Federal support of the project for which it was acquired. If the awarding agency fails to issue disposition instructions within the 120 calendar day period, the recipient shall follow standards set in 28 CFR Parts 66 and 70.

   c. When title to property is transferred, the recipient shall be paid an amount calculated by applying the percentage of participation in the purchase to the current fair market value of the property.

REAL PROPERTY ACQUIRED WITH FORMULA FUNDS

1. **Land Acquisition.** Block/formula funds CANNOT be used for land acquisition.

2. **Title.** Subject to the obligations and conditions set forth in the award, title to real property acquired under an award or subaward vests, upon acquisition, in the recipient or subrecipient.

3. **Use of Real Property.** The recipient and its subrecipients may use real property acquired, in whole or in part, with Federal funds for the authorized purposes of the original grant or subaward as long as needed for that purpose. The subrecipients shall maintain an inventory report which identifies real property acquired, in whole or in part, with block or formula funds. The recipient or subrecipient shall not dispose of or encumber its title or other interests.

4. **Disposition.** The subrecipient shall obtain approval for the use of the real property in other projects when the subrecipient determines that the real property is no longer needed for the original grant purposes. Use in other projects shall be limited to those under other Federally-sponsored projects or programs that have purposes consistent with those authorized for support by the State. When the real property is no longer needed as provided above, the

subrecipient shall request disposition instructions from the State. The State shall exercise one of the following:

a. Direct the real property to be transferred to another subrecipient or a criminal justice activity needing the property, provided that use of such real property is consistent with those objectives authorized for support by the State.

b. Return all real property furnished or purchased wholly with Federal funds to the control of the awarding agency. In the case of real property purchased in part with Federal funds, the subrecipient may be permitted to retain title upon compensating the awarding agency for its fair share of the property. The Federal share of the property shall be computed by applying the percentage of the Federal participation in the total cost of the project for which the property was acquired to the current fair market value of the property. In those instances where the subrecipient does not wish to purchase real property originally purchased in part with Federal funds, disposition instructions shall be obtained from the awarding agency.

REAL PROPERTY ACQUIRED WITH DISCRETIONARY FUNDS

1. **Land Acquisition.** Discretionary funds CANNOT be used for land acquisition.

2. **Title.** Subject to obligations and conditions set forth in 28 CFR Parts 66 and 70, title to real property acquired under an award vests upon acquisition with the recipient.

3. **Use of Property.** The use of property by the recipient is subject to the same principles and standards as outlined for property acquired with formula funds.

4. **Disposition.** The recipient shall follow the same principles and standards as outlined for subrecipients, except the recipient shall request disposition instructions from the Federal agency, not the State.

5. **Transfer of Title.** With regard to the transfer of title to the awarding agency or to a third party designated/approved by the awarding agency, the recipient or subrecipient shall be paid an amount calculated by applying the recipient's or subrecipient's percentage of participation in the purchase of the real property to the current fair market value of the property.

FEDERAL EQUIPMENT

In the event a recipient or subrecipient is provided Federally-owned equipment, the following requirements apply:

1. **Title** remains vested in the Federal government.

2. **Recipients or subrecipients shall manage the equipment** in accordance with the awarding agency's rules and procedures and submit an annual inventory listing.

3. **When the equipment is no longer needed**, the recipient or subrecipient shall request disposition instructions from the awarding agency.

REPLACEMENT OF PROPERTY (EQUIPMENT AND NON-EXPENDABLE PERSONAL PROPERTY)

When an item of property is no longer efficient or serviceable but the recipient/subrecipient continues to need the property in its criminal justice system, the recipient/subrecipient may replace the property through trade-in or sale and subsequent purchase of new property, provided the following conditions are met:

1. **Similar Function.** Replacement property must serve the same function as the original property and must be of the same nature or character, although not necessarily of the same grade or quality.

2. **Credits.** Value credited for the property, if the property is traded in, must be related to its fair market value.

3. **Time.** Purchase of replacement property must take place soon enough after the sale of the property to show that the sale and the purchase are related.

4. **Compensation.** When acquiring replacement property, the recipient/subrecipient may use the property to be replaced as a trade-in or the proceeds from the sale of the property to offset the cost of the new property.

5. **Prior Approval.** State subrecipients shall obtain the written permission of the State to use the provisions of this section prior to entering into negotiation for the replacement or trade-in of property.

RETENTION OF PROPERTY RECORDS

Records for equipment, non-expendable personal property, and real property shall be retained for a period of three years from the date of the disposition or replacement or transfer at the discretion of the awarding agency. If any litigation, claim, or audit is started before the expiration of the three-year period, the records shall be retained until all litigations, claims, or audit findings involving the records have been resolved.

SUPPLIES

1. **Title.** Title to supplies acquired under an award or subaward vests, upon acquisition, in the recipient or subrecipient, respectively.

2. **Disposition.** If there is a residual inventory of unused supplies exceeding $5,000 in total aggregate fair market value upon termination or completion of the funding support and the supplies are not needed for any other Federally-sponsored programs or projects, the recipient or subrecipient shall compensate the awarding agency for its share. The amount of compensation shall be computed in the same manner as for non-expendable personal property or equipment.

COPYRIGHTS

The awarding agency reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes:

1. The copyright in any work developed under an award or subaward; and

2. Any rights of copyright to which a recipient or subrecipient purchases ownership with support.

PATENTS, PATENT RIGHTS, AND INVENTIONS

If any program produces patentable items, patent rights, processes, or inventions, in the course of work sponsored by the Federal award or subaward funds, such facts must be promptly and fully reported to the awarding agency. Unless there is a prior agreement between the recipient and the awarding agency on disposition of such items, the awarding agency shall determine whether protection on the invention or discovery shall be sought. The awarding agency will also determine how rights in the invention or discovery (including rights under any patents issued thereon) shall be allocated and administered in order to protect the public interest consistent with "Government Patent Policy" (President's Memorandum for Heads of Executive Departments and Agencies, dated August 23, 1971, and statement of Government Patent Policy, as printed in 36 FR 16839). Government-wide regulations have been issued at 37 CFR Part 401 by the Department of Commerce.

NOTES

Chapter 7: Allowable Costs

HIGHLIGHTS OF CHAPTER:

- Background
- Compensation for Personal Services
- Conferences and Workshops
- Food and Beverages
- Travel
- Space
- Printing
- Publication
- Duplication
- Production
- Other Allowable Costs

BACKGROUND

Allowable costs are those costs identified in the circulars and in the grant program's authorizing legislation. In addition, costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements. A discussion of certain elements of cost follows.

COMPENSATION FOR PERSONAL SERVICES

1. **Two or More Federal Grant Programs.** Where salaries apply to execution of two or more grant programs, cost activities, project periods, and/or overlapping periods, proration of costs to each activity must be made based on time and/or effort reports. In cases where two or more grants constitute one identified activity or program, salary charges to one grant may be allowable after written permission is obtained from the awarding agency. Salary supplements, including severance provisions and other benefits with non-Federal funds, are prohibited without approval of the awarding agency. (Refer to OMB Circular A-87, Attachment B, OMB Circular A-122, or OMB Circular A-21).

2. **Extra Work.**

   a. A State or local government employee may be employed by a recipient or subrecipient, in addition to his or her full-time job, provided the work is performed on the employee's own time and:

      (1) The compensation is reasonable and consistent with that paid for similar work in other activities of State or local government;

      (2) The employment arrangement is approved and proper under State or local regulations (e.g., no conflict of interest); and

      (3) The time and/or services provided are supported by adequate documentation.

   b. To avoid problems arising from overtime, holiday pay, night differential, or related payroll regulations, such employment arrangements should normally be made directly by the recipient or subrecipient with the individual, unless there has been a transfer or loan of the employee for which his/her regular and overtime services provided are to be charged to or reimbursed by the recipient or subrecipient. Overtime and night differential payments are allowed only to the extent that payment for such services is in accordance with the policies of the State or unit(s) of local government and has the approval of the State or the awarding agency, whichever is applicable.

NOTE: The overtime premium should be prorated among the jobs and not charged exclusively to the awarding agency funds.

   c. Payment of these premiums will be for work performed by award or subaward employees in excess of the established work week (usually 40 hours). Executives, such as the President or Executive Director of an organization, may not be reimbursed for overtime or compensatory time under grants and cooperative agreements. Payment of continued overtime is subject to periodic review by the awarding agency.

3. **Award Purposes and Dual Compensation.** Charges of the time of State and local government employees assigned to assistance programs may be reimbursed to the extent they are directly and exclusively related to the award or proper for inclusion in the indirect cost base.

NOTE: In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from his/her unit or agency of government AND from an award for a single period of time (e.g., 1 p.m. to 5 p.m.), even though such work may benefit both activities.

CONFERENCES AND WORKSHOPS

Allowable costs may include:

- Conference or meeting arrangements;
- Publicity;
- Registration;
- Salaries of personnel;
- Rental of staff offices;
- Conference space;
- Recording or translation services;
- Postage;
- Telephone charges;
- Travel expenses (this includes transportation and subsistence for speakers or participants); and
- Lodging.

Effective January 1, 2001, all OJP funded contracts for events that include 30 or more participants (both Federal and non-Federal) lodging costs for any number of attendees requiring lodging must not exceed the Federal per diem rate for lodging. In the event the lodging rate is not the Federal per diem rate or less, none of the lodging costs associated with the event would be allowable costs to the award. As a result, the recipient would be required to pay for all lodging costs for the event, not just the amount in excess of the Federal per diem. For example, if the Federal per diem for lodging is $78 per night, and the event lodging rate is $100 per night, the recipient must pay the full $100 per night with non-grant funds, not just the difference of $22 per night.

FOOD AND BEVERAGES

Food and/or beverage expenses provided by recipients are allowable subject to conditions stated below:

- Food and/or beverages are provided to participants at training sessions, meetings, or conferences that are allowable activities under the particular OJP program guidelines.

- Expenses incurred for food and/or beverages and provided at training sessions, meetings, or conferences must satisfy the following three tests:

  Test 1—The cost of the food and/or beverages provided is considered to be reasonable.

Test 2—The food and/or beverages provided are subject of a work-related event.

Test 3—The food and/or beverages provided are not related directly to amusement and/or social events. (Any event where alcohol is being served is considered a social event; and, therefore, costs associated with that event are not allowable).

- The recipient adheres to the applicable definitions for food and beverages contained in the Financial Guide Glossary.

Each recipient that desires to purchase food and/or beverages under a grant, or contract under a grant, should follow the food and beverage policy guidelines. Guidance should be applied within the context of each individual situation. While food and/or beverages are allowable, recipients are not required to provide them at training sessions, meetings, or conferences.

NOTE: The presence of Federal employees does not prevent the recipient from providing food and beverages under its three tests.

To determine whether costs associated with food and/or beverages are allowable, the recipient or sub-recipient providing the food and/or beverages must consider:

1. To whom the food and/or beverages will be provided;

2. Under what conditions the food and/or beverages will be provided; and

3. That the appropriate three tests have been satisfied.

For example:

Example a. A recipient-sponsored event is held at the L'Enfant Plaza Hotel to discuss policy topics. The event includes a working lunch with a speaker and breaks at which food and beverages are offered. Federal agency employees, as well as employees of the recipient and non-agency persons, are invited.

This scenario meets all components of the three tests; therefore, food and beverages may be provided with grant funds.

Example b. A recipient offers a "hospitality suite" the night before its conference at the L'Enfant Plaza Hotel. Federal agency employees, as well as employees of the recipient and non-agency persons, are invited.

This scenario fails the three tests because food and beverages must not be directly related to amusement or social events. Although the conference is work-related, the hospitality suite is purely a "social event." Therefore, food and beverages **may not** be provided with grant funds.

NOTE: Food and beverage costs for events within events may be unallowable. For example:

Unallowable—Event A includes 200 participants. Food and beverages are requested for event B, which directly **relates** to event A, but includes only a small percentage of the 200 participants from event A. Thus, food and beverage costs at event B are unallowable since attendance at the event is not mandatory for all participants from events A and B.

Allowable—If the purpose of event B is to discuss or work on topics **unrelated** to event A, food and beverage costs may be allowable for event B.

Federal funds are governed by the "cost principles" of the Office of Management and Budget (OMB). Cost principles are the Federal rules that determine the extent of reimbursement of grant expenses. Generally, allowable costs include costs that are reasonable and necessary for the successful completion of the project. **Unallowable costs include, but are not limited to, costs directly related to entertainment or to the purchase of alcohol.** The cost principles are outlined in Part I, Chapter 2 of this Guide.

NOTE: Anyone under per diem allowances or reimbursements who attends any of these events at which food and beverages are provided must deduct the allowance for any meals (i.e. lunch, dinner) provided from his/her per diem allowance.

The top ten tips for provisions of food and beverages under OJP grants are as follows:

1. Provide a speaker at a lunch or dinner.
2. Support the event with a formal agenda.
3. The event must be mandatory for all participants.
4. Do not pay for bar charges using registration fees (i.e. program income).
5. Do not make alcohol available at the event.
6. Provide appropriate break foods. (Refer to the Glossary for definition of break foods).
7. Surrounding events must provide several hours of substantive information.
8. Do not end events with a meal and/or break.
9. Costs must be reasonable.
10. As a participant, reduce per diem appropriately.

NOTE: Exhibits are not deemed substantive information.

TRAVEL

Travel costs are allowable as expenses by employees who are in travel status on official business. These costs must be in accordance with Federal or an organizationally approved travel policy.

1. **Domestic Travel.** Recipients may follow their own established travel rates. However, the Office of the Comptroller reserves the right to determine the reasonableness of those rates. If a recipient does not have a written travel policy, the recipient must abide by the Federal travel policy. Subrecipients of States must follow their State's established travel policy. If a State does not have an established travel policy, the subrecipient must abide by the Federal travel rates. The current travel policy and per diem rate information is available at the GSA website http://www.gsa.gov.

2. **Foreign Travel.** This includes any travel outside of Canada and the United States and its territories and possessions; however, for a recipient or subrecipient located outside Canada and the United States and its territories and possessions, foreign travel means travel outside that country. Prior approval is required for all foreign travel (see Part III, Chapter 15: Costs Requiring Prior Approval).

SPACE

The cost of space in privately- or publicly-owned buildings used for the benefit of the program is allowable subject to the conditions stated below:

- The total cost of space may not exceed the rental cost of comparable space and facilities in a privately-owned building in the same locality.
- The cost of space procured for program usage may not be charged to the program for periods of non-occupancy without authorization of the Federal awarding agency.

1. **Rental Cost.** The rental cost of space in a privately-owned building is allowable. Rent cannot be paid if the building is owned by the grantee or if the grantee has a substantial financial interest in the property. However, the cost of ownership is an allowable expense. Similar costs for a publicly-owned building are allowable where "rental rate" systems, or equivalent systems that adequately reflect actual costs, are employed.

   Such charges must be determined on the basis of actual cost (including depreciation based on the useful life of the building, operation and maintenance, and other allowable costs). Where these costs are included in rental charges, they may not be charged elsewhere. No costs will be included for purchases or construction that was originally financed by the Federal government.

2. **Maintenance and Operation.** The cost of utilities, insurance, security, janitorial services, elevator service, upkeep of grounds, normal repairs and maintenance, and the like are allowable to the extent they are not otherwise included in rental or other charges for space.

3. **Rearrangements and Alterations.** Costs incurred for rearrangement and alteration of facilities required specifically for the award program, or those that materially increase the value or useful life of the facility, are allowable when specifically approved by the awarding agency.

4. **Depreciation and Use Allowances on Publicly Owned Buildings.** Depreciation or a use allowance on idle or excess facilities is NOT ALLOWABLE, except when specifically authorized by the Federal awarding agency.

5. **Occupancy of Space Under Rental-Purchase or a Lease with Option-to-Purchase Agreement.** The cost of space procured under such arrangements is allowable when specifically approved by the awarding agency. This type of arrangement may require application of special matching share requirements under construction programs.

PRINTING

Printing shall be construed to include and apply to the process of composition, plate-making, presswork, binding, and microfilm; the equipment, as classified in the tables in Title II of the Government Printing and Binding Regulations, published by the Joint Committee on Printing, Congress of the United States, and as used in such processes; or the end items produced by such processes and equipment. Pursuant to the Government Printing and Binding Regulations, no project may be awarded primarily or substantially for the purpose of having material printed for the awarding agency. The Government Printing and Binding Regulations allow:

1. **Issuance.** The issuance of a project for the support of non-government publications, provided such projects were issued pursuant to an authorization of law, and were not made primarily or substantially for the purpose of having material printed for the awarding agency.

2. **Publications by Recipients/Subrecipients.** The publication of findings by recipients/subrecipients within the terms of their project provided that such publication is not primarily or substantially for the purpose of having such findings printed for the awarding agency.

PUBLICATION

Publication shall be construed as the initiation of the procurement of writing, editing, preparation of related illustration material, including videos, from recipients/subrecipients, or the internal printing requirements of the recipient/subrecipient necessary for compliance with the terms of the project. However, individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal and without royalty, a single copy of any such article for their own use.

Project Directors are encouraged to make the results and accomplishments of their activities available to the public. A recipient/subrecipient who publicizes project activities and results shall adhere to the following:

1. Responsibility for the direction of the project activity should not be ascribed to the awarding agency. The publication shall include the following statement: The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice." The receipt of awarding agency funding does not constitute official recognition or endorsement of any project. A separate application for Official Recognition may be filed with the awarding agency.

2. All materials publicizing or resulting from award activities shall contain an acknowledgement of the awarding agency assistance. An acknowledgement of support shall be made through use of the following or comparable footnote: "This project was supported by Award No. _____ awarded by the (**name of specific office/bureau**), Office of Justice Programs." If the awarding agency is not OJP, language should reflect the proper agency name. The Americans with Disabilities Act (ADA) technical assistance grant program and the Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) grant program are awarded through the Civil Rights Division, DOJ.

3. A recipient/subrecipient is expected to publish or otherwise make widely available to the public, as requested by the awarding agency, the results of work conducted or produced under an award.

4. All publication and distribution agreements with a publisher shall include provisions giving the Federal government a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use the publication for Federal government purposes. (See Copyrights section of Part III, Chapter 6 of this Guide.) The agreements with a publisher should contain information on the awarding agency requirements.

5. Unless otherwise specified in the award, the recipient/subrecipient may copyright any books, publications, films, or other copyrightable material developed or purchased as a result of award activities. Copyrighted material shall be subject to the same provisions of the Federal government.

6. The recipient/subrecipient shall be permitted to display the official awarding agency logo in connection with the activities supported by the award. In this respect, the logo shall appear in a separate space, apart from any other symbol or credit.

   The words “Funded/Funded in part by OJP” shall be printed as a legend, either below or beside the logo, each time it is displayed. Use of the logo must be approved by the awarding agency.

7. The recipient/subrecipient shall submit a publication and distribution plan to the awarding agency before materials developed under an award are commercially published or distributed. The plan shall include a description of the materials, the rationale for commercial publication and distribution, the criteria to be used in the selection of a publisher, and, to assure reasonable competition, the identification of firms that will be approached. Prior agency approval of this plan is required for publishing project activities and results when Federal funds are used to pay for the publication.

DUPLICATION

A requirement for a recipient/subrecipient to duplicate less than 5,000 units of only one page, or less than 25,000 units in the aggregate of multiple pages, of its findings for the awarding agency will not be deemed to be printing primarily or substantially for the awarding agency (e.g., 5,000 copies of five pages, etc.). For the purpose of this paragraph, such pages may not exceed a maximum image size of 10 3/4" by 14 1/4".

PRODUCTION

A requirement for a recipient/subrecipient to produce less than 250 duplicates from original microfilm will not be deemed to be printing primarily or substantially for the awarding agency. Microfilm is defined as one roll of microfilm 100 feet in length or one microfiche.

OTHER ALLOWABLE COSTS

1. **Software development.** This is an allowable cost and may be expensed in the period incurred with no dollar limitation.

2. **Depreciation.** This is an allowable cost and an accelerated method should not be used.

3. **Post-employment benefits**. These are allowable costs if funded in accordance with actuarial requirements. Funds must be paid within six months of recordation.

4. **Technology awards.** These are allowable costs and the drawdown of funds may be prohibited until the State Information Technology Point of Contact person has received written notification of the project and a Grant Adjustment Notice (GAN) has been issued by the awarding agency.

5. **Contingency Fee Contracts for Recovery of Improper Payments.** In accordance with OMB Circular A-87, costs of contingency fee contracts incurred by state and local governments for recovery of erroneous and improper payments charged against Federal programs are allowable costs. State and local governments may use a portion of the recovered erroneous or fraudulent payments from Federal programs to pay for recovery contracts. The portion used to pay for such contingency fees should be claimed as administrative costs.

NOTES

Chapter 8: Confidential Funds

HIGHLIGHTS OF CHAPTER:

- Approval Authority
- Confidential Funds Certification
- Written Procedures
- Informant Files
- RISS Program
- Accounting and Control Procedures

These provisions apply to all awarding agency professional personnel, recipients, and subrecipients involved in the administration of grants containing confidential funds. Confidential funds are those monies allocated to:

- **Purchase of Services (P/S).** This category includes travel or transportation of a non-Federal officer or an informant; the lease of an apartment, business front, luxury-type automobiles, aircraft or boat, or similar effects to create or establish the appearance of affluence; and/or meals, beverages, entertainment, and similar expenses (including buy money and flash rolls, etc.) for undercover purposes, within reasonable limits.

- **Purchase of Evidence (P/E).** This category is for the purchase of evidence and/or contraband, such as narcotics and dangerous drugs, firearms, stolen property, counterfeit tax stamps, etc., required to determine the existence of a crime or to establish the identity of a participant in a crime.

- **Purchase of Specific Information (P/I).** This category includes the payment of monies to an informant for specific information. All other informant expenses would be classified under P/S and charged accordingly.

These funds should only be allocated when:

1. The particular merits of a program/investigation warrant the expenditure of these funds.

2. Requesting agencies are unable to obtain these funds from other sources.

Confidential funds are subject to prior approval. Such approval will be based on a finding that they are a reasonable and necessary element of project operations. In this regard, the approving agency must also ensure that the controls over disbursement of confidential funds are adequate to safeguard against the misuse of such funds.

APPROVAL AUTHORITY

The APPROVING AUTHORITY for the ALLOCATION of confidential funds is:

1. The awarding agency for block/formula grantees and categorical grantees (including Regional Information Sharing System (RISS) program projects).

2. The recipient agency for block/formula subrecipients.

CONFIDENTIAL FUNDS CERTIFICATION

A signed certification that the Project Director has read, understands, and agrees to abide by these provisions is required from all projects that are involved with confidential funds from either Federal or matching funds. The signed certification must be submitted at the time of grant application.

SAMPLE

CONFIDENTIAL FUNDS CERTIFICATION

This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential funds as set forth in the effective edition of OJP's Financial Guide.

Date: _____ Signature:_____
Project Director

Grant No. _____

WRITTEN PROCEDURES

Each project and RISS member agency authorized to disburse confidential funds must develop and follow internal procedures which incorporate the following elements listed below. Deviations from these elements must receive prior approval of the awarding agency.

1. **Imprest Fund.** The funds authorized will be established in an imprest fund which is controlled by a bonded cashier.

2. **Advance of Funds.** The supervision of the unit to which the imprest fund is assigned must authorize all advances of funds for the purchase of information. Such authorization must specify the information to be received, the amount of expenditures, and the assumed name of informant.

3. **Informant Files.** Information files are confidential files of the true names, assumed names, and signatures of all informants to whom payments of confidential expenditures have been made. To the extent possible, pictures and/or fingerprints of the information payee should also be maintained. In the RISS program, the informant files are to be maintained at the member agencies only. Project Headquarters may maintain case files.

4. **Cash Receipts.**

    a. The cashier shall receive from the agent or officer authorized to make a confidential payment a receipt for cash advanced to him/her for such purposes.

    b. The agent or officer shall receive from the information payee a receipt for cash paid to him/her.

SAMPLE

INFORMANT PAYEE RECEIPT

For and in consideration of the sale and delivery to the State, County, or City of _____ of information or evidence identified as follows: _____

_____

I hereby acknowledge receipt of $ (numerical and word amount entered by payee) paid to me by the State, County, or City of _____.

Date: _____ Payee: _____

(Signature)

Case Agent/Officer: _____

(Signature)

Witness: _____

(Signature)

Case or Reference: _____

5. **Receipt for Purchase of Information.** An information payee receipt shall identify the exact amount paid to and received by the information payee on the date executed. Cumulative or anticipatory receipts are not permitted. Once the receipt has been completed, **no alteration is allowed**. The agent shall prepare an information payee receipt containing the following information:

   a. The jurisdiction initiating the payment;

   b. A description of the information/evidence received;

   c. The amount of payment, both in numerical and word form;

   d. The date on which the payment was made;

   e. The signature of the informant payee;

   f. The signature of the case agent or officer making payment;

   g. The signature of at least one other officer witnessing the payment; and

   h. The signature of the first line supervisor authorizing and certifying the payment.

6. **Review and Certification.** The signed receipt from the informant payee with a memorandum detailing the information received shall be forwarded to the agent or officer in charge. The agent or officer in charge shall compare the signatures. He/she shall also evaluate the information received in relation to the expense incurred and his/her evaluation remarks in the

report of the agency or officer who made the expenditure from the imprest fund. The certification will be witnessed by the agent or officer in charge on the basis of the report and information payee's receipt.

7. **Reporting of Funds.** Each project shall prepare a reconciliation report on the imprest fund on a quarterly basis. Information to be included in the reconciliation report will be the assumed name of the informant given and to what extent this informant contributed to the investigation. Grantees shall retain the reconciliation report in their files and have it available for review. Subrecipients shall retain the reconciliation report in their files and have it available for review unless the State agency requests that the report be submitted to them on a quarterly basis.

8. **Record and Audit Provisions.** Each project and member agency must maintain specific records of each confidential fund transaction. At a minimum, these records must consist of all documentation concerning the request for funds, processing (should include the review and approval/disapproval), modifications, closure or impact material, and receipts and/or other documentation necessary to justify and track all expenditures. Refer to the documentation under "Informant Files" below for a list of documents which should be in the informant files. In projects where grant funds are used for confidential expenditures, it will be understood that all of the above records are subject to the record retention requirements and audit provisions of the awarding agency and program legislation. However, only under extraordinary and rare circumstances would such access include a review of the true name of confidential informants. When access to the true name of confidential informants is necessary, appropriate steps to protect this sensitive information must and will be taken by the recipient, awarding agency, and auditing agency. Any such access, other than under a court order or subpoena pursuant to a bona fide confidential investigation, must be approved by both the OJP program office head and the Comptroller.

INFORMANT FILES

1. **Security.** A separate file should be established for each informant for accounting purposes. Informant files should be kept in a separate and secure storage facility, segregated from any other files, and under the exclusive control of the office head or an employee designated by him/her. The facility should be locked at all times when unattended. Access to these files should be limited to those employees who have a necessary legitimate need. An informant file should not leave the immediate area, except for review by a management official or the handling agent, and should be returned prior to the close of business hours. Sign-out logs should be kept indicating the date, information number, time in and out, and the signature of the person reviewing the file.

2. **Documentation.** Each file should include the following information:

   a. Informant Payment Record, kept on top of the file. This record provides a summary of informant payments.

   b. Informant Establishment Record, including complete identifying and locating data, plus any other documents connected with the informant's establishment.

c. Current photograph and fingerprint card (or FBI/State Criminal Identification Number).

d. Agreement with cooperating individual.

e. Receipt for Purchase of Information.

f. Copies of all debriefing reports (except for the Headquarters case file).

g. Copies of case initiation reports bearing on the utilization of the informant (except for the Headquarters case file).

h. Copies of statements signed by the informant (unsigned copies will be placed in appropriate investigative files).

i. Any administrative correspondence pertaining to the informant, including documentation of any representations made on his behalf or any other non-monetary considerations furnished.

j. Any deactivation report or declaration of an unsatisfactory informant.

RISS PROGRAM

1. **Processing Procedures.**

a. **Authorization of Disbursement.** The project policy board establishes the maximum level the Project Director may authorize in disbursements to member agencies. The Project Director, or his designee, may authorize payment of funds to member agencies and their officers for the purchase of information and evidence up to this maximum level. The Project Director must refer all requests for amounts in excess of the maximum level to the project policy board for review and approval.

b. **Request of Funds.** Any member agency requesting funds from the project will do so in writing. The request must contain the amount needed, the purpose of the funds, and a statement that the funds requested are to be used in furtherance of the project's objectives. Additionally, the agency must provide a statement agreeing to establish control, accounting, and reporting procedures which closely resemble the procedures outlined in this chapter.

c. **Processing the Request.** The Project Director, or his designee when appropriate, will approve or disapprove the request. If approved, the request will be forwarded to the project cashier who will record the request and transmit the monies, along with a receipt form, to the member agency. Upon receipt of the monies, the member agency will immediately sign and return the receipt form to the cashier.

d. **Records.** For all transactions involving the purchase of information, each project must maintain on file the assumed name and signature of all informants to whom member agencies make payments from project funds.

e. **Processing the Informant Payee Receipt.** The original signed informant payee receipt, with a summary of the information received, will be forwarded to the project by the member agency. The project will then authenticate the receipt by comparing the signature of the informant payee on the receipt with the signature maintained by the project in a confidential file. If discrepancies exist, the Project Director, or his/her designee, will take immediate steps to notify the member agency and ascertain the reason(s) for the discrepancies. The member agency must forward written justification to address the discrepancies of the project. If satisfactory, the justification will be attached to the informant payee receipt.

2. **Informant Management and Utilization.** All persons who will be utilized as informants should be established as such. The specific procedures required in establishing a person as an informant may vary from jurisdiction to jurisdiction but, at a minimum, should include the following:

   a. Assignment of an informant code name to protect the informant's identity.

   b. Creation of an informant code book controlled by the office head or his/her designee containing:

      (1) Informant's code name;

      (2) Type of informant (i.e., informant, defendant/informant, restricted-use informant);

      (3) Informant's true name;

      (4) Name of establishing law enforcement officer;

      (5) Date the establishment is approved; and

      (6) Date of deactivation.

   c. Establishment of each informant files in accordance with Documentation, Item 2, under Informant Files.

   d. Review of all active status informant files on a quarterly basis to assure they contain all relevant and current information. Where a MATERIAL fact that was earlier reported on the Establishment Record is no longer correct (e.g., a change in criminal status, means of locating him/her, etc.), a supplemental establishing report should be submitted with the correct entry.

   e. A search of all available criminal indices for informants being established. If a verified FBI number is available, request a copy of the criminal records from the FBI. Where a verified FBI number is not available, the informant should be fingerprinted, with a copy sent to the FBI and appropriate State authorities for analysis. The informant may be utilized on a provisional basis while awaiting a response from the FBI.

3. **Payment to Informants.**

a. Any person who is to receive payments charged against PE/PI funds should be established as an informant. This includes persons who may otherwise be categorized as sources of information or informants under the control of another agency. The amount of payment should be commensurate with the value of services and/or information provided and should be based on the following factors:

(1) The level of the targeted individual, organization, or operation;

(2) The amount of the actual or potential seizure; and

(3) The significance of the contribution made by the informant to the desired objectives.

b. There are various circumstances in which payments to informants may be made:

(1) **Payments for Information and/or Active Participation.** When an informant assists in developing an investigation, either through supplying information or actively participating in it, he/she may be paid for his/her service either in a lump sum or in staggered payments. Payments for information leading to a seizure, with no defendants, should be held to a minimum.

(2) **Payment for Informant Protection.** When an informant needs protection, law enforcement agencies may absorb the expenses of relocation. These expenses may include travel for the informant and his/her immediate family, movement and/or storage of household goods, and living expenses at the new location for a specific period of time (not to exceed six months). Payments for these expenses may be either lump sum or as they occur and should not exceed the amounts authorized by law enforcement employees for these activities.

(3) **Payments to Informants of Another Agency.** To use or pay another agency's informant, he/she should be established as an informant. These payments should not be a duplication of a payment from another agency; however, sharing a payment is acceptable.

c. Documentation of payments to informants is critical and should be accomplished on a receipt for purchase of information. Payment should be made and witnessed by two law enforcement officers and authorized payment amounts should be established and reviewed by at least the first line supervisory level. In unusual circumstances, a non-officer employee or an officer of another law enforcement agency may serve as a witness. In all instances, the original signed receipt must be submitted to the Project Director for review and recordkeeping.

ACCOUNTING AND CONTROL PROCEDURES

Special accounting and control procedures should govern the use and handling of confidential expenditures as described below:

1. It is important that expenditures which conceptually should be charged to PE/PI/PS are in fact so charged. It is only in this manner that these funds may be properly managed at all levels and accurate forecasts of projected needs be made.

2. Each law enforcement entity should apportion its PE/PI/PS allowance throughout its jurisdiction and delegate authority to approve PE/PI/PS expenditures to those offices, as it deems appropriate.

3. Headquarters management should establish guidelines authorizing offices to spend up to a predetermined limit of their total allowance on any one investigation.

4. In exercising his/her authority to approve these expenditures, the supervisor should consider:

   a. The significance of the investigation;

   b. The need for this expenditure to further that investigation; and

   c. Anticipated expenditures in other investigations. Funds for PE/PI/PS expenditures should be advanced to the officer for a specific purpose. If they are not expended for that purpose, they should be returned to the cashier. They should not be used for another purpose without first returning them and repeating the authorization and advance process based on the new purpose.

5. Funds for PE/PI/PS expenditure should be advanced to the officer on a suitable receipt form. A receipt for purchase of information or a voucher for purchase of evidence should be completed to document funds used in the purchase of evidence or funds paid or advanced to an informant.

6. For security purposes, there should be a 48-hour limit on the amount of time funds advanced for PE/PI/PS expenditure may be held outstanding. If it becomes apparent at any point within the 48-hour period that the expenditure will not materialize, then the funds should be returned to the advancing cashier as soon as possible. An extension to the 48-hour limit may be granted by the level of management that approved the advance. Factors to consider in granting such an extension are the amount of funds involved, the degree of security under which the funds are being held, how long an extension is required, and the significance of the expenditure. Such extensions are generally limited to 48 hours.

   Recipients should consult with the program office prior to determining the final course of action. Beyond this, the funds should be returned and re-advanced, if necessary. Regardless of circumstances, within 48 hours of the advance, the fund cashier should be presented with either the unexpended funds, an executed voucher for payment for information or purchase of evidence, or written notification by management that an extension has been granted.

7. Purchase of Services (P/S) expenditures, when not endangering the safety of the officer or informant, need to be supported by canceled tickets, receipts, lease agreements, etc. If not available, the office head, or his/her immediate subordinate, must certify that the expenditures were necessary and justify why supporting documents were not obtained.

NOTES

Chapter 9: Subawards of Discretionary Project-Supported Effort

None of the principal activities of the project-supported effort shall be subawarded to another organization without specific prior approval by the awarding agency. Where the intention to make subawards is made known at the time of application, the approval may be considered given, if these activities are funded as proposed.

All such arrangements must be formalized in a contract or other written agreement between the parties involved. The contract or agreement must, at a minimum, include:

- Activities to be performed;
- Time schedule;
- Project policies;
- Flow-through requirements that are applicable to the subrecipient;
- Other policies and procedures to be followed;
- Dollar limitation of the agreement; and
- Cost principles to be used in determining allowable costs.

The contract or other written agreement must not affect the primary recipient's overall responsibility for the duration of the project and accountability to the Federal government. The primary recipient is responsible for monitoring the sub-recipient and ascertaining that all fiscal and programmatic responsibilities are fulfilled.

NOTES

Chapter 10: Procurement Under Awards of Federal Assistance

HIGHLIGHTS OF CHAPTER:

- Procurement Standards
- Construction Requirements
- Professional Services

PROCUREMENT STANDARDS

1. **General.** A State shall follow the same policies and procedures it uses for procurement from its non-Federal funds. The State shall ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders and their implementing regulations. Subrecipients of States shall follow the procurement requirements imposed upon them by the States. Other recipients and subrecipients will follow OMB Circular A-110.

2. **Standards.** Recipients and subrecipients shall use their own procurement procedures and regulations, provided that the procurement conforms to applicable Federal law and the standards identified in the Procurement Standards Sections of 28 CFR Parts 66 and 70.Any recipient/subrecipient whose procurement system has been certified by a Federal agency is not subject to prior approval requirements of 28 CFR Parts 66 and 70. The awarding agency's prior approval will be required only for areas beyond limits of the recipient/subrecipient certification.

3. **Adequate Competition.** All procurement transactions, whether negotiated or competitively bid and without regard to dollar value, shall be conducted in a manner so as to provide maximum open and free competition. All sole-source procurements in excess of $100,000 must receive prior approval of the awarding agency. Interagency agreements between units of government are excluded from this provision.

4. **Non-competitive Practices.** The recipient/subrecipient shall be alert to organizational conflicts of interest or non-competitive practices among contractors which may restrict or eliminate competition or otherwise restrain trade. Contractors that develop or draft specifications, requirements, statements of work, and/or Requests for Proposals (RFP) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Any request for exemption must be submitted in writing to the awarding agency.

CONSTRUCTION REQUIREMENTS

The following policies and procedures relevant to construction are applicable to recipients/subrecipients. For the purpose of determining the appropriate fund ratios for construction projects, refer to the legislation which authorizes the construction.

1. **Under the Juvenile Justice Act (OJJDP).** Construction means the acquisition, expansion, remodeling, and alteration of existing buildings and initial equipment of any such buildings or any combination of such activities (including architects' fees but not the cost of acquisition of land for buildings).

2. **Under the Boot Camp Initiative.** Construction means the erection, acquisition, renovation, repair, remodeling or expansion of new or existing buildings or other physical facilities, and the acquisition or installation of initial equipment.

Initial equipment includes heating, plumbing, air conditioning, and electrical services and similar fixed equipment items but does not include equipment no inherently a part of the facility, such as office furniture and equipment.

3. **Qualifications.** When considering the use of agency funds for construction, recipients/subrecipients must be cognizant of the following qualifications:

   a. Costs which are incurred as an incidental and necessary part of a program and which are for renovation, remodeling, maintenance, and repair costs which do not constitute capital expenditures ARE generally allowable, subject to provisions of authority legislation.

   b. The total cost of a construction project includes the cost of site preparation, including demolition of existing structures. Any proceeds realized for site preparation activities (e.g., salvage value of structures demolished or the proceeds from sale of timber) shall be applied to the project (program income) and used to reduce the total cost of the construction project.

   c. Payment of relocation costs shall be in accordance with the "Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970," 42 USC §4601, et seq.

   d. Funds may not be obligated by recipients/subrecipients until recipients/subrecipients have contacted OJP and assisted OJP in satisfactorily completing any applicable OJP procedures by complying with the National Historic Preservation Act, the National Environmental Policy Act, and other related federal environmental impact analyses requirements.

4. **Special Fiscal Conditions for Construction Projects.** The awarding agency may accept the bonding policy and requirement of the subrecipients provided those policies adequately protect Federal dollars. When the awarding agency determines that recipients of funds have policies in place that do not protect the Federal dollars, the awarding agency shall require:

   a. A bid guarantee equivalent to 5 percent of the bid price. The bid guarantee must consist of a firm commitment, such as bid bond, certified check, or negotiable instrument accompanying a bid, as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified after the forms are presented to him/her.

   b. A performance bond on the part of the contractor for 100 percent of the contract price. "Performance bond" means a bond executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

   c. A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to ensure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

5. **Payment of Money Guaranteed by Federal Government.** Where the Federal government guarantees the payment of money borrowed by a recipient or subrecipient, the State may, at its

discretion, require adequate bonding and insurance if the bonding or insurance requirements of the recipient or subrecipient are not deemed sufficient to adequately protect the interest of the Federal government. In those instances where construction of facility improvements for less than $100,000 are contemplated and the subrecipient does not have any requirements for bid guarantees, performance bonds, and payments bonds, the State will impose State requirements on the subrecipients.

6. **Special Requirements for Juvenile Justice Act Construction Projects.**

   a. **Matching Requirement.** Juvenile Justice Act funds awarded under Title II are limited to 50 percent of the cost of construction.

   b. **Source and Types of Funds.** Match for construction programs and/or projects awarded to public agencies must consist of cash appropriated for the use of the recipient public agency by the awarding agency or contributed by a private agency or individual.

7. **Use of Funds.**

   a. Construction programs and projects funded with the Juvenile Justice Act Title II funds are limited to construction of innovative community-based facilities for less than 20 people which, in the judgment of the Administrator, are necessary to carry out Part B purposes. Consequently, advance approval for all formula grant construction expenditures is required either in the approved plan or in subsequent correspondence. Facilities include both buildings and parts of sections of a building to be used for a particular program or project.

   b. Erection of new buildings is not permitted with Juvenile Justice Act Title II funds.

   c. Use of Juvenile Justice Act Title II funds for construction is equally applicable to programs or projects using Formula or Special Emphasis funds.

8. **Executive Requirements 13202—Preservation of Open Competition and Government Contractors' Labor Relations on Federal and Federally Funded Construction Contracts.**

   Recipients and subrecipients of grants or cooperative agreements, or any manager of construction projects acting on their behalf, shall ensure that neither the bid specifications, project agreements, nor other controlling documents:

   a. Require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations, on the same or other related construction project(s); or

   b. Otherwise discriminate against bidders, offerors, contractors, or subcontractors for becoming or refusing to become or remain signatories or otherwise to adhere to agreements with one or more labor organizations, on the same or other related construction project(s).

   Contractors or subcontractors are not prohibited from voluntarily entering into agreements described in (8.a.) above.

PROFESSIONAL SERVICES

The customary fixed fee or profit allowance in cost-type contracts may not exceed 10 percent of the total estimated costs. This is applicable to contracts under grants.

NOTES

Chapter 11: Reporting Requirements

HIGHLIGHTS OF CHAPTER:

- Background
- Financial Status Reports
- Program Reports

BACKGROUND

The Office of Justice Programs requires award recipients to submit both financial and program reports. These reports describe the status of the funds, the status of the project, comparison of actual accomplishments to the objectives, or other pertinent information. The specific requirements, reporting periods and submission deadlines are identified below.

Program Reports are generally due semiannually for Discretionary awards and annually for Block/Formula awards. The Financial Status Reports (SF 269A) are due every calendar quarter. All reports should include the award recipient's name, award number, reporting period, and the name of the person submitting the report. Final reports (financial and program reports) are due 120 days after the end of the award. "Yes" should be marked to indicate that this is a final report when appropriate.

When SF-269s and progress reports are delinquent, funds will be withheld from all existing grants and new awards may be prohibited or restricted from all OJP programs. Also, any Grant Adjustment Notice (GAN) that releases funds to retire special conditions will not be approved until the grantee is in administrative compliance, e.g., until financial and progress reports are current.

FINANCIAL STATUS REPORTS

Quarterly Financial Status Reports (SF-269) Forms may be filed online through the Internet at https://grants.ojp.usdoj.gov. The online SF-269, the Web-based 269 (Appendix II), requires the same reporting information as the paper version. The use of this online application enables authorized users to view current and past SF-269s, and allows them to file or amend the SF-269 for the current quarter.

These reports will contain the actual expenditures and unliquidated obligations as incurred (at the lowest funding level) for the reporting period (calendar quarter) and cumulative for the award. The award recipients will report program outlays and revenue on a cash or accrual basis in accordance with their accounting system.

The due dates for online filing of SF-269s and the paper version will remain the same. The SF-269s must be submitted online no later than 45 days after the last day of each quarter. An e-mail confirmation of OJP receipt of the SF-269 will be sent to the grantee at the e-mail address listed by the grantee's registered user. The final SF-269 report is due 120 days after the end date of the award. Once the SF-269 is submitted online, it is not necessary for grantees to mail or fax a paper version of the SF-269 to OJP unless requested to do so.

Grant recipients who do not submit SF-269s by the due date will be unable to drawdown funds. The payment system contains an edit that checks for SF-269 delinquency and will reject a drawdown attempt if the SF-269 is not up to date. If SF-269s are delinquent, an e-mail notification will be sent to the grantee.

For general information concerning online filing of SF-269 reports, go to www.ojp.usdoj.gov/oc or contact OJP, Office of the Comptroller, Customer Service Center, by phone at 1 (800)-458–0786 (at option 2) or by e-mail at ask.oc@usdoj.gov.

1. **Penalty for Non-Compliance.** Future awards, fund drawdowns, and grant adjustments will be withheld if the Financial Status Report information is delinquent.

2. **Subawards**. The State must report to the awarding agency the cumulative total Federal funds subawarded for the award being reported. This information is required on all block and formula awards and shall be reported in item 12 of the SF 269A.

NOTE: Financial Status Reports are not applicable to State Criminal Alien Assistance Program (SCAAP) awards and Bulletproof Vest Partnership Program.

PROGRAM REPORTS

These reports present information relevant to the performance of a plan, program, or project, and are due at the intervals noted below. Unless otherwise noted, the final report is due 120 days after the end date of the award.

Program reports will usually be submitted online through the Grants Management System (GMS) using the "Application" module. Questions concerning GMS maybe addressed to the GMS Helpdesk at 1-(888)-549-9901.

Penalty for Non-Compliance. Beginning with the reporting periods ending on or after June 30, 2002, future awards, fund drawdowns, and grant adjustments will be withheld if progress reports are delinquent.

1. **Crime Control Act Block and Formula Funds—Annual Performance Reports.** The States shall submit annually to the Bureau of Justice Assistance (BJA) a report which contains information as required by the legislation and the Director. This report must be submitted to BJA no later than December 31 for the activities undertaken and results achieved during the prior Federal fiscal year.

2. **Narrative Report for Juvenile Justice Act (JJA) Formula Funds.** The reporting requirement of Sections 223(2) and 223(a)(22) may be met through the submission of the Annual Plan and its updates. The Annual Plan may provide a performance report on the previously planned activities utilizing JJA formula funds. Instructions for the preparation of the SF 424 by the State are contained in 28 CFR Part 31 and in the JUVENILE JUSTICE AND DELINQUENCY PREVENTION AWARD APPLICATION KIT. These documents are available from OJJDP.

3. **Crime Victims Compensation Program.** A State receiving funds for a crime victims compensation program will be required to submit an annual performance report on the effect the Federal funds had on the program. The report will be due by November 30 each year and must report on activities for the prior Federal fiscal year (October 1 through September 30). Please see the Crime Victims Compensation Guidelines for specific reporting instructions.

4. **Crime Victims Assistance Program.** Crime victims assistance program reporting requirements are set forth in the Victims Assistance Award Program Guidelines. The State crime victims assistance agency receiving Federal victims assistance award funds is required to submit a performance report 90 days after the end of each award. The performance report will provide information on the effect the Federal funds have had on services to crime victims in the State and serve as a basis for information prepared for the Report to Congress on the Victims of Crime Act (VOCA).

5. **Categorical Assistance Progress Report, OJP Form 4587/1.** This report is prepared twice a year and is used to describe the performance of activities or the accomplishment of objectives as set forth in the approved award application.

   Reporting Period: Progress reports must be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31 for the life of the award. The awarding agency may opt, by special condition to the award, to combine the first report into the subsequent reporting period. For example, if the begin date on the award is June 1, the awarding agency may opt to receive the first report 30 days after the December 31 reporting period.

6. **Special Reports.** In the review and approval process for plans and applications, it is sometimes necessary for the awarding agency to require that special or unique conditions be met in order to make an award. These special conditions will vary from award to award; however, acceptance of the award by the recipient/subrecipient constitutes an agreement that the conditions will be met either prior to the project or during the course of the award period. When this is the case, special reports on the meeting of these conditions are required for submittal to the awarding agency. They are prepared free form; however, the timing, content, and process for their submittal are detailed in the award package.

NOTE: Progress Reports are not applicable to State Criminal Alien Assistance Program (SCAAP) awards.

NOTES

Chapter 12: Retention and Access Requirements for Records

HIGHLIGHTS OF CHAPTER:

- Retention of Records
- Maintenance of Records
- Access to Records

RETENTION OF RECORDS

In accordance with the requirements set forth in 28 CFR Parts 66 and 70, all financial records, supporting documents, statistical records, and all other records pertinent to the award shall be retained by each organization for AT LEAST THREE YEARS following the closure of their audit report covering the entire award period. Retention is required for purposes of Federal examination and audit. Records may be retained in an automated format. **State or local governments may impose record retention and maintenance requirements in addition to those prescribed.**

1. **Coverage.** The retention requirement extends to books of original entry, source documents supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, cancelled checks, and related documents and records. Source documents include copies of all awards, applications, and required recipient financial and narrative reports. Personnel and payroll records shall include the time and attendance reports for all individuals reimbursed under the award, whether they are employed full-time or part-time. Time and effort reports are also required for consultants.

2. **Retention Period.** The three-year retention period starts from the date of the submission of the closure of the single audit report which covers the entire award period. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three-year period, the records must be retained until completion of the action and resolution of all issues which arise from it or until the end of the regular three year period, whichever is later.

MAINTENANCE OF RECORDS

Recipients of funds are expected to see that records of different Federal fiscal periods are separately identified and maintained so that information desired may be readily located. Recipients are also obligated to protect records adequately against fire or other damage. When records are stored away from the recipient's principal office, a written index of the location of records stored should be on hand and ready access should be assured.

ACCESS TO RECORDS

The awarding agency includes the funding agency, the Federal agency, the DOJ Office of the Inspector General, the Comptroller General of the United States, or any of their authorized representatives, who shall have the right of access to any pertinent books, documents, papers, or other records of recipients which are pertinent to the award, in order to make audits, examinations, excerpts, and transcripts. The right of access must not be limited to the required retention period but shall last as long as the records are retained.

However, only under extraordinary and rare circumstances would such access include review of the true name of confidential informants or victims of crime. When access to the true name of confidential informants or victims of crime is necessary, appropriate steps to protect this sensitive information must and will be taken by the recipient and awarding agency. Any such access, other than under a court order or subpoena pursuant to a bona fide confidential investigation, must be approved by both the OJP program office head and the Comptroller.

Chapter 13: Sanctions

If a recipient materially fails to comply with the terms and conditions of an award, including civil rights requirements, whether stated in a Federal statute, regulation, assurance, application, or notice of award, the awarding agency may take one or more of the following actions, as appropriate in the circumstances. This authority also extends to the recipient agency.

1. Temporarily withhold cash payments pending correction of the deficiency by the recipient.
2. Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
3. Wholly or partly suspend or terminate the current award.
4. Withhold further awards for the project or program.
5. Take other remedies that may be legally available.

NOTES

Chapter 14: Termination for Convenience

The awarding agency may terminate any project, in whole or in part, when a recipient materially fails to comply with the terms and conditions of an award, which includes the unauthorized use of payment access codes by someone other than the grantee of record, or when the recipient and the awarding agency agree to do so. In the event that a project is terminated, the awarding agency will:

1. Notify the recipient in writing of its decision;

2. Specify the reason;

3. Afford the recipient/subrecipient a reasonable time to terminate project operations; and

4. Request the recipient seek support from other sources.

A project which is prematurely terminated will be subject to the same requirements regarding audit, recordkeeping, and submission of reports as a project which runs for the duration of the project period. Refer to 28 CFR Part 18 for appeal rights in event of termination.

NOTES

Chapter 15: Costs Requiring Prior Approval

HIGHLIGHTS OF CHAPTER:

- Background
- Responsibility for Prior Approval
- Procedures for Requesting Prior Approval
- Costs Requiring Prior Approval
    - Automatic Data Processing (ADP) Equipment and Software
    - Criminal Justice Information and Communication Systems
    - Equipment and Other Capital Expenditures
    - Preagreement Costs
    - Proposal Costs
    - Consultant Rates
    - Interest Expense
    - Foreign Travel

BACKGROUND

Written approval is required for those costs specified in OMB Circulars A-21, A-87, and A-122 as "Costs Allowable With Approval of Awarding Agency" or costs which contain special limitations.

Where prior approval is required in this section, the awarding agency will be the approval authority for all discretionary recipients and for the State when it is the implementing recipient. Where prior approval authority for subrecipients is required, it will be vested in the State unless specified as being "RETAINED BY THE FEDERAL AWARDING AGENCY," as identified below. Subrecipient requests for awarding agency approval should be submitted through the State for a block or formula award.

The intention of the awarding agency is not to require approval of all changes within the listed cost categories, but only for those aspects or elements which specifically require prior approval. Also, the establishment of dollar expenditure levels in this chapter is intended to furnish blanket approval for modest project-related outlays. Costs above such levels may also receive approval upon submission of appropriate data and justification.

RESPONSIBILITY FOR PRIOR APPROVAL

1. **Discretionary Awards.** The awarding agency reviews for approval all costs identified in this section when the recipient is the direct beneficiary of the goods or services to be purchased or supplied.

2. **Block/Formula Awards.** The State reviews for approval all costs identified in this section for subrecipients of block/formula funds where the State is the recipient but not the implementing agency.

PROCEDURES FOR REQUESTING PRIOR APPROVAL

Requests must be in writing and justified with an explanation to permit review of the allowability. They may be submitted:

1. Through inclusion in the budget or other components of an award or subaward application; or

2. As a separate written request to the appropriate authority as described above.

COSTS REQUIRING PRIOR APPROVAL

1. **Automatic Data Processing (ADP) Equipment and Software.** Awards may include provisions for procurement of ADP equipment. The application will be written in a manner consistent with maximum open and free competition in the procurement of hardware and services. Brand names will not normally be specified.

    a. Digital, analog, or hybrid computer equipment and automated fingerprint equipment.

b. Auxiliary or accessorial equipment, such as data communications terminals, source data automation recording equipment (e.g., optical character recognition equipment, and other data acquisition devices) and data output equipment (e.g., digital plotters, computer output microfilms, etc.), to be used in support of digital, analog, or hybrid computer equipment, whether cable connected, wire connected, radio connected, or self-standing, and whether selected or acquired with a computer or separately.

c. Data transmission or communications equipment that is selected and acquired solely or primarily for use with a configuration of ADP equipment which includes an electronic computer.

d. Qualification and Exclusions.

(1) Analog computers are covered only when being used as equipment peripheral to a digital computer.

(2) Items of ADP equipment that are (a) physically incorporated in a weapon, or (b) manufactured under a development contract ARE EXCLUDED from the above definition.

(3) Accessories, such as tape cleaners, tape testers, magnetic tapes, paper tapes, disk packs, and the like ARE EXCLUDED.

2. **Criminal Justice Information and Communication Systems** that are to be funded shall be designed and programmed to maximize the use of standard and readily available computer equipment and programs. (Identification of such systems will be made on a case-by-case basis.) Applicants involved in the development of criminal justice information systems should utilize the past experience of those agencies which have successfully implemented such systems. A detailed requirements analysis should be performed and a search for existing software that could meet the identified requirements should be made before new software is developed. If new software is developed, it shall be designed and documented so that other criminal justice agencies will be able to use it with minor modifications and at minimum cost. A recipient or subrecipient shall request approval prior to arranging for patent of computer software and programs.

a. Prior approval is NOT REQUIRED for the LEASE or RENTAL of such equipment; nevertheless, assurance must be provided that leases or rentals greater than $100,000 are obtained in accordance with Federal procurement standards.

b. Where the amount of the acquisition exceeds $100,000, prior approval from the awarding agency is REQUIRED for the acquisition of equipment (outright purchase, lease-purchase agreement, or other method of purchase).

c. A review of ADP equipment procurement shall be REQUIRED and should include a review of the description of the equipment to be purchased. This review shall be documented in writing for the file and shall require the awarding agency to certify that the procurement is consistent with the following requirements:

(1) The ADP equipment of the type to be purchased was identified within the award applications, and is necessary and sufficient to meet the project goals.

(2) The ADP equipment procurement is in compliance with existing Federal agency, State, and local laws and regulations.

(3) A purchase/lease comparison has been conducted demonstrating that it is more advantageous to purchase rather than lease the ADP equipment under consideration.

(4) If software development is involved, it has been demonstrated that computer software already produced and available will not meet the needs of the award.

(5) If the ADP equipment procurement is to be sole source and that procurement is more than $100,000, then documentation must have been submitted to justify the action.

d. An ADP Procurement Review Form (Suggested Format—Sample Only) may be obtained by contacting the DOJ Response Center at 1-(800)-421-6770. This form is a recommended form for documenting an ADP equipment procurement review and the form is shown as a "Sample Only."

3. **Equipment and Other Capital Expenditures.** Equipment and other capital assets, including repairs which materially increase their useful life, are allowable if the recipient/subrecipient has received prior approval.

a. Where expenditures for equipment are not fully justified by the budget and budget narrative, the awarding agency may require that the type, quantity estimated, unit, or other information be provided through the issuance of special conditions to the award.

b. In reviewing equipment acquisition budgets and proposals, the following principles should be adhered to:

(1) No other equipment owned by the recipient/subrecipient is suitable for the effort.

(2) No requests for luxury vehicles will be approved. Vehicle requests should be reasonable, and recipients shall usually follow Internal Revenue Service (IRS) guidelines for vehicles for business use. Vehicles purchased via State or local central procurement activities as part of a unit of government fleet are generally accepted as reasonable.

(3) Federal funds are not used to provide reimbursement for the purchase of equipment already owned by the recipient/subrecipient.

Exception: Equipment that has been purchased for a common pool and will be charged to the award at cost value is ALLOWABLE. Equipment that has already been purchased and charged to other activities of the organization would NOT be an ALLOWABLE expense to the award.

(4) Equipment purchased and used commonly for two or more programs has been appropriately prorated to each activity.

4. **Preagreement Costs.** Prior approval is required for preagreement costs.

   a. **Block/Formula Funds.** Costs incurred prior to the date of the subaward period may be charged to the project where the award or subaward application specifically requests support for preagreement costs. States may approve preagreement costs for subrecipients if incurred subsequent to the beginning of the Federal fiscal year of award.

   b. **Discretionary Awards.** Costs incurred prior to the start date of the award may be charged to the project only if they receive prior approval from the awarding agency.

5. **Proposal Costs.** Costs to projects for preparing proposals for potential Federal awards require PRIOR APPROVAL for:

   a. The obligation or expenditure of funds; or

   b. The performance or modification of an activity under an award/subaward project, where such approval is required.

6. **Consultant Rates.** Compensation for individual consultant services is to be reasonable and consistent with that paid for similar services in the marketplace. Consideration will be given to compensation including fringe benefits for those individuals whose employers do not provide the same. In addition, when the rate exceeds $450 (excluding travel and subsistence costs) for an eight-hour day, a written PRIOR APPROVAL is required from the awarding agency. Prior approval requests require additional justification. An eight-hour day may include preparation, evaluation, and travel time in addition to the time required for actual performance. Please note, however, that this does not mean that the rate can or should be $450 for all consultants. Rates should be developed and reviewed on a case-by-case basis and must be reasonable and allowable in accordance with OMB cost principles. Approval of consultant rates, in excess of $450 a day, that are part of the original application with appropriate justification and supporting data will be approved on a case-by-case basis. The following is the policy in regard to compensation of various classifications of consultants who perform like-type services. If consultants are hired through a competitive bidding process (not sole source), the $450 threshold does not apply.

   a. **Consultants Associated with Educational Institutions.** The maximum rate of compensation that will be allowed is the consultant's academic salary projected for 12 months, divided by 260. These individuals normally receive fringe benefits which include sick leave for a full 12-month period even though they normally only work nine months per year in their academic positions.

   b. **Consultants Employed by State and Local Government.** Compensation for these consultants will only be allowed when the unit of government will not provide these services without cost. If a State or local government employee is providing services under a Federal grant and is representing their agency without pay from their respective unit of government, the rate of compensation is not to exceed the daily salary rate for the employee paid by the unit of government. If the State or local government employee is providing services under a Federal grant and is not representing their agency, the rate of compensation is based on the necessary and reasonable cost principles.

c. **Consultants Employed by Commercial and Not-For-Profit Organizations.** These organizations are subject to competitive bidding procedures. Thus, they are not subject to the $450 per day maximum compensation threshold before requesting prior approval. In those cases where an individual has authority to consult without employer involvement, the rate of compensation should not exceed the individual's daily salary rate paid by his/her employer, subject to the $450 limitation.

d. **Independent Consultants.** The rate of compensation for these individuals must be reasonable and consistent with that paid for similar services in the marketplace. Compensation may include fringe benefits. In summary, consultants obtained through competitive bidding do not require prior approval, including individual consultants.

7. **Interest Expense.** Interest on debt, incurred for: (a) acquisition of equipment and buildings; (b) building construction; (c) fabrication; (d) reconstruction; and (e) remodeling, is an allowable cost with prior approval. This interest applies only to buildings completed on or after 10/1/80 for State and local units of government and 9/29/95 for non-profit organizations.

8. **Foreign Travel.** Direct charges for foreign travel costs are allowable only when the travel has prior approval of the awarding agency. (Indirect charges for foreign travel are allowable without prior approval of the awarding agency when: (a) included as part of a Federally approved indirect cost rate; and (b) such costs have a beneficial relationship to the project. Each separate foreign trip must be approved.) Foreign travel is defined as any travel outside of Canada and the United States and its territories and possessions. However, for organizations located in foreign countries, the term "foreign travel" means travel outside that country.

Chapter 16: Unallowable Costs

HIGHLIGHTS OF CHAPTER:

- Land Acquisition
- Compensation of Federal Employees
- Travel of Federal Employees
- Bonuses or Commissions
- Military-Type Equipment
- Lobbying
- Fund Raising
- Corporate Formation
- State and Local Sales Taxes
- Other Unallowable Costs
- Costs Incurred Outside the Project Period

LAND ACQUISITION

The funding legislation specifies that no Federal award involving the renting, leasing, or construction of buildings or other physical facilities shall be used for land acquisition. Accordingly, land acquisition costs are unallowable.

COMPENSATION OF FEDERAL EMPLOYEES

Salary payments, consulting fees, or other remuneration of full-time Federal employees are unallowable costs.

TRAVEL OF FEDERAL EMPLOYEES

Costs of transportation, lodging, subsistence, and related travel expenses of awarding agency employees are unallowable charges. Travel expenses of other Federal employees for advisory committees or other program or project duties or assistance are allowable if they have been:

1. Approved by the Federal employee's Department or Agency; and

2. Included as an identifiable item in the funds budgeted for the project or subsequently submitted for approval.

BONUSES OR COMMISSIONS

The recipient or subrecipient is prohibited from paying any bonus or commission to any individual or organization for the purpose of obtaining approval of an application for award assistance. Bonuses to officers or board members of profit or non-profit organizations are determined to be a profit or fee and are unallowable.

MILITARY-TYPE EQUIPMENT

Costs for such items as armored vehicles, explosive devices, and other items typically associated with the military arsenal, excluding automatic weapons, are unallowable. Exceptions MAY be made by the awarding agency upon a written request and justification from the recipient.

LOBBYING

All recipients and subrecipients must comply with the provisions of the government-wide Common Rule on Restrictions on Lobbying, as appropriate. Refer to Part II, Chapter 1, (Application Process), for more specifics about those provisions.

In addition, the lobbying cost prohibition applicable to all recipients of funding includes the following.

No funds may be used for purposes of:

1. Attempting to influence the outcome of any Federal, State, or local election, referendum, initiative, or similar procedure, through in-kind or cash contributions, endorsements, publicity, or similar activity;

2. Establishing, administering, contributing to, or paying for the expenses of a political party, campaign, political action committee, or other organization established for the purpose of influencing the outcome of elections;

3. Attempting to influence: (a) the introduction of Federal or State legislation; or (b) the enactment or modification of any pending Federal or State legislation through communication with any member or employee of the Congress or State legislature (including efforts to influence State or local officials to engage in similar lobbying activity), or with any government official or employee in connection with a decision to sign or veto enrolled legislation;

4. Publicity or propaganda purposes designed to support or defeat legislation pending before legislative bodies;

5. Paying, directly or indirectly, for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a member of Congress or of a State legislature, to favor or oppose, by vote or otherwise, any legislation or appropriation by either Congress or a State legislature, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation;

6. Engaging in legislative liaison activities, including attendance at legislative sessions or committee hearings, gathering information regarding legislation, and analyzing the effect of legislation, when such activities are carried out in support of or in knowing preparation for an effort to engage in unallowable lobbying; or

7. Paying a publicity expert.

8. The Anti-Lobbying Act, 18 U.S.C. § 1913, recently was amended to expand significantly the restriction on use of appropriated funding for lobbying. This expansion also makes the anti-lobbying restrictions enforceable via large civil penalties, with civil fines between $10,000 and $100,000 per each individual occurrence of lobbying activity. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by 31 U.S.C. § 1352.

   The Office of Management and Budget (OMB) is currently in the process of amending the OMB cost circulars and the common rule (codified at 28 C.F.R. Part 69 for DOJ grantees) to reflect these modifications. However, in the interest of full disclosure, all grantees must understand that no federally appropriated funding made available under this grant program may be used, either directly or indirectly, to support the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government, without the express approval of OJP. Any violation of this prohibition is subject to a minimum $10,000 fine for each occurrence. This prohibition applies to all activity, even if currently allowed within the parameters of the existing OMB circulars.

Any question(s) relating to this statute should be submitted in writing to the Office of General Counsel through your program manager.

FUND RAISING

Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions, may not be charged either as direct or indirect costs against the award. Neither the salary of persons engaged in such activities nor indirect costs associated with those salaries may be charged to the award, except insofar as such persons perform other funding-related activities.

An organization may accept donations (i.e., goods, space, services) as long as the value of the donations is not charged as a direct or indirect cost to the award.

A recipient may also expend funds, in accordance with approved award terms, to seek future funding sources to "institutionalize" the project, but not for the purpose of raising funds to finance related or complementary project activities.

Nothing in this section should be read to prohibit a recipient from engaging in fund raising activities as long as such activities are not financed by Federal or non-Federal award funds.

CORPORATE FORMATION

The cost for corporate formation may not be charged either as direct or indirect costs against the award.

STATE AND LOCAL SALES TAXES

These are unallowable when the government assesses taxes upon itself or, disproportionately, to Federal programs. An example of an unallowable tax would be if the government levied taxes as a result of Federal funding. An example of an allowable tax would be user taxes, such as gasoline tax. These provisions became effective as of the government's fiscal year beginning on or after January 1, 1998.

OTHER UNALLOWABLE COSTS

Unallowable costs include:

- Entertainment;
- Sporting events;
- Visa fees;
- Passport charges;
- Tips;
- Bar charges/Alcoholic beverages;

- Laundry charges;
- Conferences and Workshops. Lodging costs in excess of Federal per diem. For events of 30 or more participants that are funded with an OJP award, if lodging costs exceed the Federal per diem, none of the lodging costs are allowable, effective January 1, 2001. (When Federal grant funds are expended for grant conferences for more than 30 attendees and zero hotel rooms are being billed to Federal grants, the award recipients must still ensure that lodging rates are within Federal per diem rates. Award recipients may contact the OJP Conference Coordinator at (202) 616-9457 for assistance in locating lodging within the Federal per diem rate).;
- Membership fees to organizations whose primary activity is lobbying are unallowable; and
- Premium pay. Grantees should not pay premium cost solely because it is using Federal funds. Any premium pay must be authorized in advance through written approval from the awarding agency.

COSTS INCURRED OUTSIDE THE PROJECT PERIOD

Any costs that are incurred either before the start of the project period or after the expiration of the project period are not allowable.

NOTES

Chapter 17: Indirect Costs

HIGHLIGHTS OF CHAPTER:

- Approved Plan Available
- No Approved Plan
- Establishment of Indirect Cost Rates
- Cost Allocation Plans—Central Support Services
- Lobbying Costs and the Indirect Cost Pool
- Approving Rates for Subrecipients

Indirect costs are costs of an organization that are not readily assignable to a particular project, but are necessary to the operation of the organization and the performance of the project. The cost of operating and maintaining facilities, depreciation, and administrative salaries are examples of the types of costs that are usually treated as indirect.

APPROVED PLAN AVAILABLE

1. The awarding agency may accept any current indirect cost rate or allocation plan previously approved for a recipient by any Federal awarding agency on the basis of allocation methods substantially in accord with those set forth in the applicable cost circulars.

2. Where the approved final indirect cost rate is lower than the actual indirect cost rate incurred, recipients may not charge expenses included in overhead pools (e.g., accounting services, legal services, building occupancy and maintenance, etc.) as direct costs.

3. Organizations with an approved indirect cost rate, utilizing total direct costs as the base, usually exclude contracts under awards or corporation agreements from any overhead recovery. The negotiation agreement will stipulate that major subcontracts are excluded from the base for overhead recovery. The term subcontract means any contract awarded under the award or corporation agreement.

NO APPROVED PLAN

If a recipient does not have an approved Federal indirect cost rate, funds budgeted for indirect costs will not be recoverable until a rate is approved. A special condition will be added to the award prohibiting drawdown for indirect cost reimbursement until an indirect cost rate has been approved and a grant adjustment notice has been issued retiring the special condition.

Exception: If the Office of Management and Budget (OMB) has not assigned a Federal agency with cognizance for a local jurisdiction, then the unit of government is not required to submit its indirect cost proposal, unless the new cognizant agency (based on preponderance of Federal dollars) requires a copy of the proposal.

ESTABLISHMENT OF INDIRECT COST RATES

1. In order to be reimbursed for indirect costs, a recipient must first establish an appropriate indirect cost rate. To do this, the recipient must prepare an indirect cost rate proposal and submit it to the cognizant Federal agency. The cognizant Federal agency is generally determined based on the preponderance of Federal dollars received by the recipient.

2. Local units of government need only submit their cost allocation plans and indirect cost proposals, if specifically requested by their cognizant Federal agency assigned by OMB.

3. The proposal must be submitted in a timely manner (within nine months after the end of the fiscal year) to assure recovery of the full amount of allowable indirect costs. The proposal must be developed in accordance with principles and procedures appropriate to the type of institution involved.

4. To support the indirect cost proposal, Federal recipients are responsible for ensuring that independent audits of their organizations are conducted in accordance with existing Federal auditing and reporting standards set forth in OMB Circular A-133. This audit report must be submitted to the cognizant agency to support the indirect cost proposal. After negotiations, the cognizant agency will establish either a predetermined, provisional, final, or fixed-with-carryforward indirect cost rate.

5. A signed certification from the grantee organization requesting an indirect cost rate must accompany the indirect cost allocation plan. This organization must certify that the indirect cost allocation plan only includes allowable costs.

6. Copies of brochures of indirect cost rates that may describe the procedures involved in the computation may be obtained from the U.S. Superintendent of Documents, United States Government Printing Office, Mail Stop: SSOP, Washington, DC 20402-9328.

   - **OASC-1 (Rev)**—A Guide for Colleges and Universities, Cost Principles and Procedures for Establishing Indirect Cost Rates for Research Awards with the Department of Health, Education and Welfare.

   - **OASMB-5 (Rev)**—A Guide for Non-Profit Institutions, Cost Principles and Procedures for Establishing Indirect Cost and Other Rates for Awards with the Department of Health, Education, and Welfare.

   - **ASMB C-10**—A Guide for State, Local, and Indian Tribal Governments, Cost Principles and Procedures for Establishing Cost Allocation Plans and Indirect Cost Rates for Agreements with the Federal Government.

COST ALLOCATION PLANS—CENTRAL SUPPORT SERVICES

State agencies and local units of government may not charge to an award the cost of central support services supplied by the State or local units of government except pursuant to a cost allocation plan approved by the cognizant Federal agency. The rate which is to be applied may be on a fixed, predetermined, or fixed-with-carry-forward provision.

LOBBYING COSTS AND THE INDIRECT COST POOL

When an organization seeks reimbursement for indirect costs, total lobbying costs shall be separately identified in the indirect cost rate proposal and thereafter treated as other unallowable activity costs in accordance with the above procedures and Attachment A of OMB Circular A-122.

1. Organizations shall submit, as part of their annual indirect cost rate proposal, a certification that the requirements and standards have been complied with.

2. Organizations shall maintain adequate records to demonstrate that the determination of costs as being allowable or unallowable pursuant to Attachment B of OMB Circular A-122 complies with the requirements of the Circular.

3. Time logs, calendars, or similar records shall not be required to be created for purposes of complying with this section during any particular calendar month when:

    a. The employee engages in lobbying, as defined above;

    b. Twenty-five percent or less of the employee's compensated hours of employment during that calendar month constitutes lobbying as defined above; and

    c. Within the preceding five-year period, the organization has not materially misstated allowable or unallowable costs of any nature, including legislative lobbying costs.

4. When conditions (a) and (b) above are met, organizations are not required to establish records to support the allowability of claimed costs in addition to records already required or maintained. Also, when conditions (a) and (b) above are met, the absence of time logs, calendars, or similar records will not serve as a basis for disallowing costs by contesting estimates of lobbying time spent by employees during a calendar month.

APPROVING RATES FOR SUBRECIPIENTS

This is the responsibility of the direct recipient. The Federal awarding agency will not approve indirect cost rates beyond the direct recipient level.

Chapter 18: Closeout

HIGHLIGHTS OF CHAPTER:

- Closeout of Discretionary/Categorical Awards
- Closeout of Formula/Block Awards
- Refund of Federal Grant Monies and/or Program Income at Closeout

CLOSEOUT OF DISCRETIONARY/CATEGORICAL AWARDS

1. **Cash Reconciliation.** The recipient should request reimbursement for any funds due to cover expenditures and obligations (incurred prior to the grant expiration date and liquidated no more than 90 days after the grant expiration date) at award closeout. The recipient expenditures (outlays) must be equal to or greater than the cash disbursements from the awarding agency.

2. **Drawdown of Funds.** Recipients should request final payment for reimbursement of expenditures made within the approved period in conjunction with the final financial status report.

3. **Recipient Closeout Requirements.** Within 120 days after the end date of the award or any approved extension thereof (revised end date), the following documents must be submitted by the recipient to the awarding agency:

    a. **Final Financial Status Report.** This FINAL report of expenditures must have no unliquidated obligations and must indicate the exact balance of unobligated funds. Any unobligated/unexpended funds will be deobligated from the award amount of the awarding agency. Recipients on a check-issued basis who have drawn down funds in excess of their obligation/expenditures, shall return unused funds to the awarding agency at the same time they submit the final report. Recipients under LOCES and PAPRS payment system should make adjustments for any cash balances on subsequent requests. (Recipients must report obligations and expenditures at the recipient/subrecipient level.)

    b. **Final Progress Report.** This report should be prepared in accordance with instructions provided by the awarding agency.

    c. **Invention Report.** All inventions that were conceived or first actually reduced to practice during the course of work under the award project must be listed on this report before closeout.

CLOSEOUT OF FORMULA/BLOCK AWARDS

The timeframe for closeout of formula/block awards is also 120 days from the end date of the award. Cash disbursements and recipient expenditures must be reconciled before closeout.

REFUND OF FEDERAL AWARD MONIES AND/OR PROGRAM INCOME AT CLOSEOUT

If funds must be returned at award closeout, award recipients should remit their check with a cover letter indicating the grant award number, the unobligated balance, and the itemization of returned monies, e.g., excess payments, interest income, program income, questioned costs, etc.

The final SF 269 should report the amount of federal monies returned on line 10 (i) (unobligated balance of federal funds) and any unexpended program income returned in Box 12 (f).

Refund check and letter should be mailed to: Office of Justice Programs, 810 7th Street, NW, 5th Floor, Washington, DC 20531. ATTN: FUNDS CONTROL BRANCH.

Chapter 19: Audit Requirements

HIGHLIGHTS OF CHAPTER:

- Audit Objectives
- Audit Reporting Requirements
- Failure to Comply
- Audit Threshold
- Audit Confirmation Requests
- Due Dates for Audit Reports
- Audit Compliance
- Resolution of Audit Reports
- Top Ten Audit Findings
- Audits of Subrecipients
- Technical Assistance
- Full-Scope Auditing
- Commercial (For-Profit) Organizations
- Distribution of Audit Reports
- OIG Regional Offices

This chapter establishes responsibilities for the audit of organizations receiving agency funds. The intent of this chapter is to identify the policies for determining the proper and effective use of public funds rather than to prescribe detailed procedures for the conduct of an audit.

AUDIT OBJECTIVES

Awards are subject to conditions of fiscal, program, and general administration to which the recipient expressly agrees. Accordingly, the audit objective is to review the recipient's administration of funds and required non-Federal contributions for the purpose of determining whether the recipient has:

1. Established an accounting system integrated with adequate internal fiscal and management controls to provide full accountability for revenues, expenditures, assets, and liabilities. This system should provide reasonable assurance that the organization is managing Federal financial assistance programs in compliance with applicable laws and regulations.

2. Prepared financial statements which are presented fairly, in accordance with generally accepted accounting principles.

3. Submitted financial reports (which may include Financial Status Reports, Cash Reports, and Claims for Advances and Reimbursements), which contain accurate and reliable financial data, and are presented in accordance with the terms of applicable agreements.

4. Expended Federal funds in accordance with the terms of applicable agreements and those provisions of Federal law or regulations that could have a material effect on the financial statements or on the awards tested.

AUDIT REPORTING REQUIREMENTS

Independent auditors should follow the requirements prescribed in OMB Circular A-133.

If the auditor becomes aware of illegal acts or other irregularities, prompt notice shall be given to recipient management officials above the level of involvement. The recipient, in turn, shall promptly notify the cognizant Federal agency of the illegal acts or irregularities and of proposed and actual actions, if any.

All awarding agency personnel have the responsibility to inform the OJP's Office of the Comptroller, DOJ's Office of Professional Responsibility, the Office of Inspector General, and State and local law enforcement agencies or prosecuting authorities, as appropriate, of any known violations of the law within their respective area of jurisdiction.

Audit costs for audits not required or performed in accordance with OMB Circular A-133 are unallowable. If the grantee did not expend $500,000 ($300,000 for fiscal year ending in 2003 and prior) or more in Federal funds in its fiscal year, but contracted with a certified public accountant to perform an audit, these costs may not be charged to the grant.

FAILURE TO COMPLY

Failure to have audits performed as required may result in the withholding of new discretionary awards and/or withholding of funds or change in the method of payment on active awards.

AUDIT THRESHOLD

1. Effective FY ending after December 31, 2003, non-Federal entities that expend $500,000 or more in Federal funds (from all sources including pass-through subawards) in the organization fiscal year (12- month turnaround reporting period) shall have a single organization-wide audit conducted in accordance with the provisions of OMB Circular A-133.

2. Effective FY ending after December 31, 2003, non-Federal entities that expend less than $500,000 a year in Federal awards are exempt from Federal audit requirements for that year. Records must be available for review or audit by appropriate officials including the Federal agency, pass-through entity, and General Accounting Office (GAO).

AUDIT CONFIRMATION REQUESTS

Send audit confirmation requests to:

Office of the Comptroller
Attention: Monitoring Division
810 7th Street, NW
Washington, DC 20531

DUE DATES FOR AUDIT REPORTS

Audits are due no later than nine (9) months after the close of each fiscal year during the term of the award.

AUDIT COMPLIANCE

Techniques to use to determine recipient compliance with Federal requirements when an organization-wide audit is not conducted include:

1. Obtaining audits from recipients that were made in accordance with the “Government

   Auditing Standards” ;

2. Relying on previous audits performed on recipient’s operations;

3. Desk reviews by program officials of project documentation;

4. Project audits by auditors or auditors obtained by recipients; and

5. Evaluations of recipient’s operations by program officials.

RESOLUTION OF AUDIT REPORTS

Timely action on recommendations by responsible management officials is an integral part of the effectiveness of an audit. Each recipient shall have policies and procedures for responding to audit recommendations by designating officials responsible for:

1. Following up;
2. Maintaining a record of the action taken on recommendations and time schedules for completing corrective action;
3. Implementing audit recommendations;
4. Submitting periodic reports to the cognizant Federal audit agency on recommendations and actions taken; and
5. Providing an audit special condition on all subawards. This special condition contains information, such as the audit report period, required audit report submission date, and name and address of cognizant Federal agency. The policy of the awarding agency is not to make new awards to applicants who are not in compliance with the audit requirements.

The awarding agency monitors the audit requirements through its audit tracking system and is responsible for tracking audit reports received through the audit process until resolved and closed.

TOP TEN AUDIT FINDINGS

1. Untimely report submissions;
2. Lack of documentation;
3. Inadequate monitoring of subrecipients;
4. Inadequate time/effort reports;
5. Inaccurate reports (Financial Status Reports);
6. Commingling of funds;
7. Excess cash on hand;
8. Unallowable costs;
9. Inappropriate changes; and
10. Conflicts of interest.

AUDIT OF SUBRECIPIENTS

When subawards are made to another organization or organizations, the recipient shall require that subrecipients comply with the audit requirements set forth in this chapter.

Recipients are responsible for ensuring that subrecipient audit reports are received and for resolving any audit findings. Known or suspected violations of any law encountered during audits, including fraud, theft, embezzlement, forgery, or other serious irregularities, must be communicated to the recipient.

For subrecipients who are not required to have an audit as stipulated in OMB Circular A-133, the recipient is still responsible for monitoring the subrecipients' activities to provide reasonable assurance that the subrecipient administered Federal awards in compliance with Federal requirements.

TECHNICAL ASSISTANCE

The Office of the Inspector General, DOJ, is available to provide technical assistance to recipients in implementing the audit requirements of this chapter where the DOJ is the assigned cognizant agency or has oversight responsibilities because it provided the preponderance of direct Federal funding to the recipient. This assistance is available for areas such as:

1. Review of the audit arrangements and/or negotiations;

2. Review of the audit program or guide to be used for the conduct of the audit; and

3. On-site assistance in the performance of the audit, when deemed necessary, as a result of universal or complex problems that arise. Requests for technical assistance should be addressed to the appropriate Regional Inspector General's Office, DOJ (see listing of regional offices).

FULL-SCOPE AUDITING

In addition to arranging and providing for the organizational, financial, and compliance audits required by the OMB Circular A-133 individual recipients and subrecipients are encouraged to provide for additional audit coverage, as deemed appropriate. The additional audit coverage that may be provided should be determined based on the circumstances surrounding the particular organization, function, program, or activity to be audited, management needs, and available audit capability. Additional audit coverage could involve such organizational determinations relating to the following:

1. Are resources managed and used economically and efficiently?

2. Are desired results and objectives achieved effectively?

3. Are the organization's accounting system and system of internal controls acceptable prior to the receipt of awarding agency funds?

4. Are the organization's systems and controls adequate to detect fraud, waste, and abuse?

COMMERCIAL (FOR-PROFIT) ORGANIZATIONS

These organizations shall have financial and compliance audits conducted by qualified individuals who are organizationally, personally, and externally independent from those who authorize the

expenditure of Federal funds. This audit must be performed in accordance with Government Auditing Standards, 1994 Revision. The purpose of this audit is to ascertain the effectiveness of the financial management systems and internal procedures that have been established to meet the terms and conditions of the award. Usually, these audits shall be conducted annually, but not less frequently than every two years. The dollar threshold for audit reports established in OMB Circular A-133, as amended, applies.

DISTRIBUTION OF AUDIT REPORTS

The submission of audit reports for all grantees shall be as follows.

1. **State and Local Governments, Institutions of Higher Education, and Non-Profit Institutions.** All completed audit reports for State and local governments, institutions of higher education, and non-profit institutions should be mailed to the Federal Audit Clearinghouse, Bureau of the Census, 1201 East 10th Street, Jeffersonville, IN 47132.

2. **Commercial Organizations and Individuals.** One copy of all audit reports for commercial organizations and individuals should be mailed to the Office of the Comptroller, Office of Justice Programs, ATTN: Control Desk, U.S. Department of Justice, 810 7th Street NW, Room 5303,Washington, DC 20531.

OIG REGIONAL OFFICES

Regional Audit Office	Geographical Area
Atlanta Region (40) Ferris B. Polk, Regional Audit Manager 75 Spring Street, Suite 1130 Atlanta, GA 30323 Phone: (404)-331-5928 Fax: (404)-331-5046	Alabama, Florida, Georgia, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Virgin Islands
Chicago Region (50) Carol S. Taraszka, Regional Audit Manager 500 W. Madison, Suite 3510 Chicago, IL 60661 Phone: (312)-353-1203, Fax: (312)-886-0513	Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Wisconsin
Dallas Region (80) George W. Stendell, Regional Audit Manager 207 S. Houston Street Box 4, Room 575 Dallas, TX 75202 Phone: (214)-655-5000 Fax: (214)-655-5025	Arkansas, Louisiana, Oklahoma, Texas
Denver Region (60) David M. Sheeren, Regional Audit Manager 1120 Lincoln Street, Suite 1500 Denver, CO 80203 Phone: (303)-864-2000 Fax: (303)-864-2004	Arizona, Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, North Dakota, South Dakota, Utah, Wyoming
San Francisco Region (90) Robert J. Kaufman , Acting Regional Audit Manager 1200 Bayhill Drive, Suite 201 San Bruno, CA 94066 Phone: (650)-876-9220 Fax: (650)-876-0902	Alaska, California, Hawaii, Nevada, Oregon, Washington, American Samoa, Guam, Trust Territory of the Commonwealth of Northern Mariana Islands
Philadelphia Region (70) Richard A. McGeary , Regional Audit Manager 701 Market Street, Suite 201 Philadelphia, PA 19106 Phone: (215)-580-2111 Fax: (215)-597-1348	Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont
Washington Region (30) Troy M. Meyer, Regional Audit Manager 1300 North 17th Street, Suite 3400 Arlington, VA 22209 Phone: (202)-616-4688 Fax: (202)-616-4581	District of Columbia, Maryland, Virginia, West Virginia

NOTES

Part IV:
Organization and Program Information

CHAPTER 1: Organization Structure
CHAPTER 2: Legislative Authority

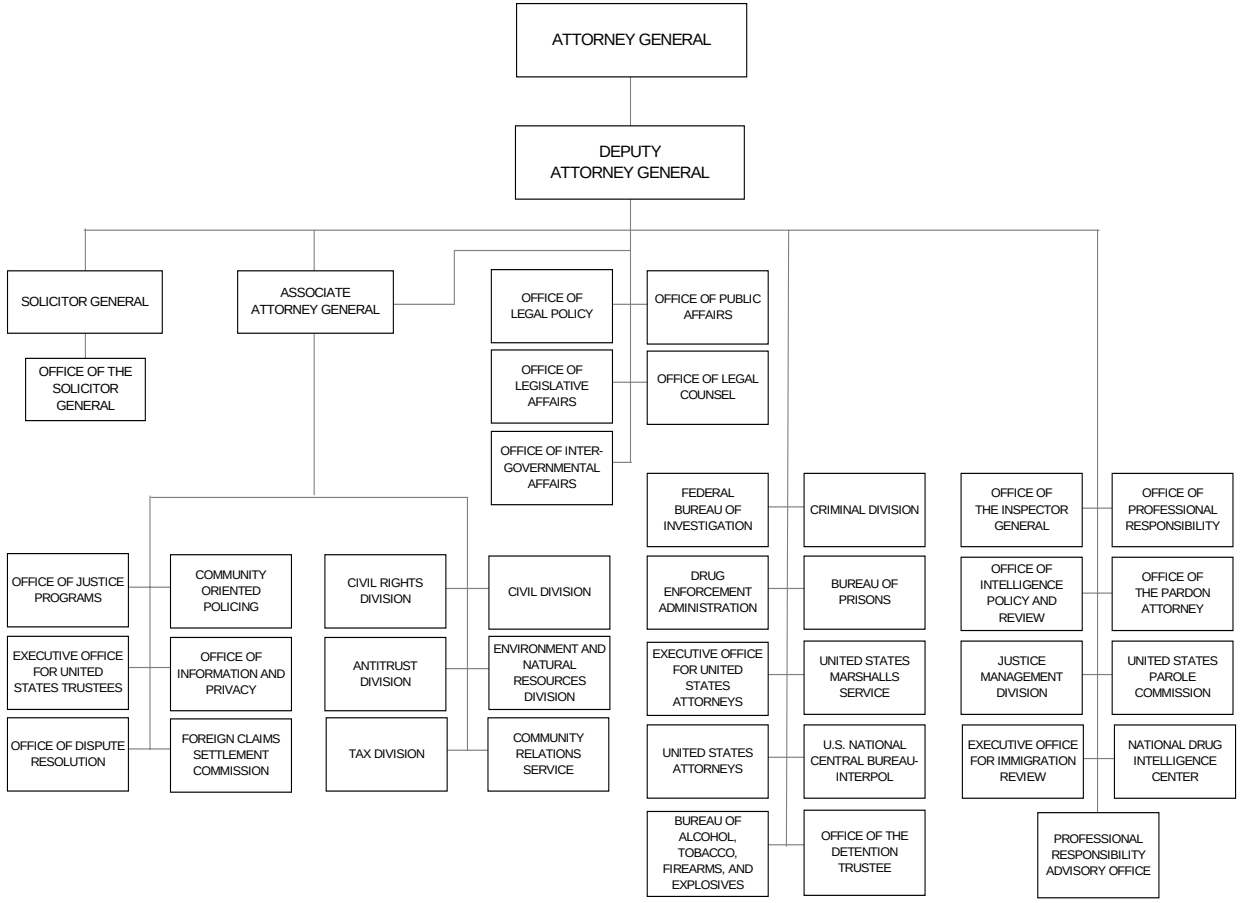
Chapter 1: Organization Structure

HIGHLIGHTS OF CHAPTER:

- United States Department of Justice Organization Chart
- Office of Justice Programs Organization Chart
- Office of the Comptroller Organization Chart

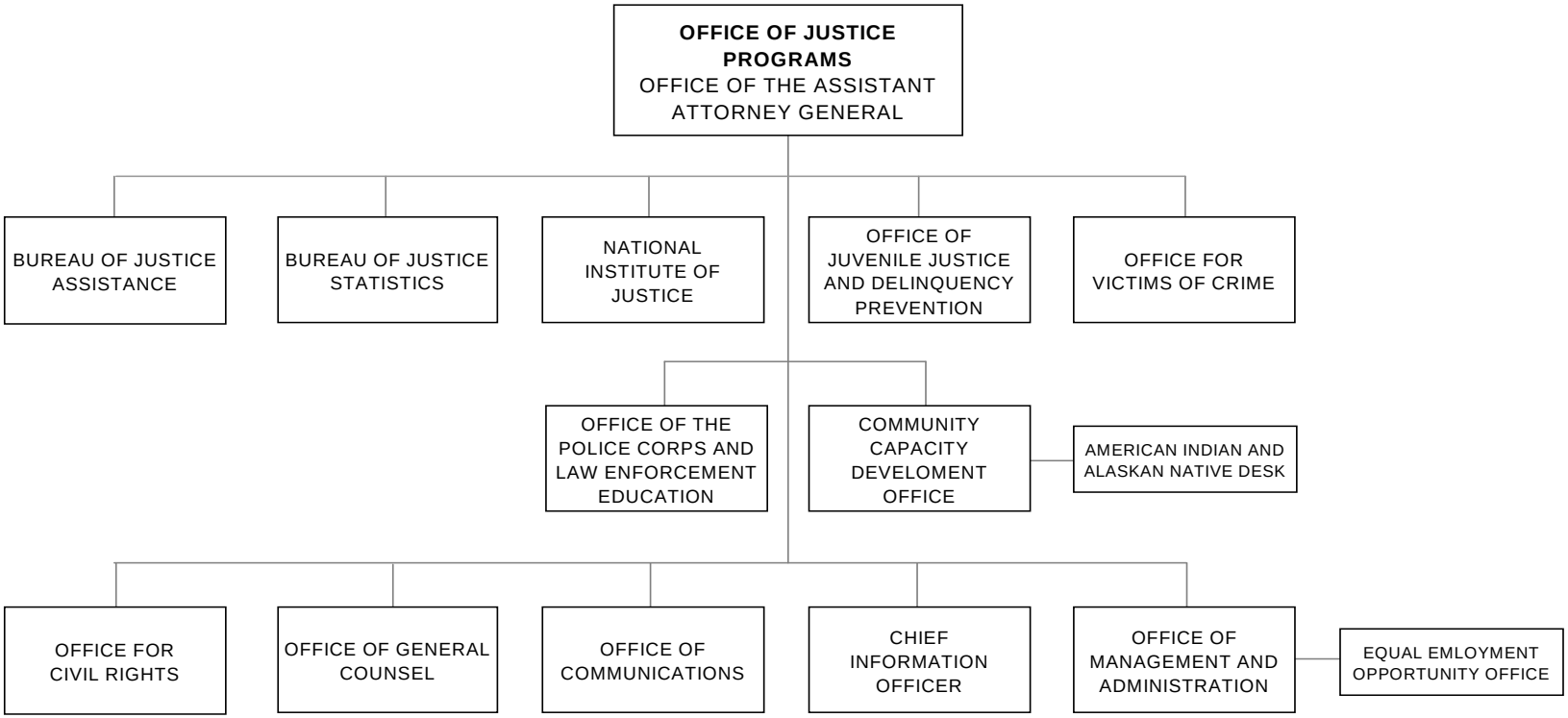
U.S. Department of Justice

Organizational Chart



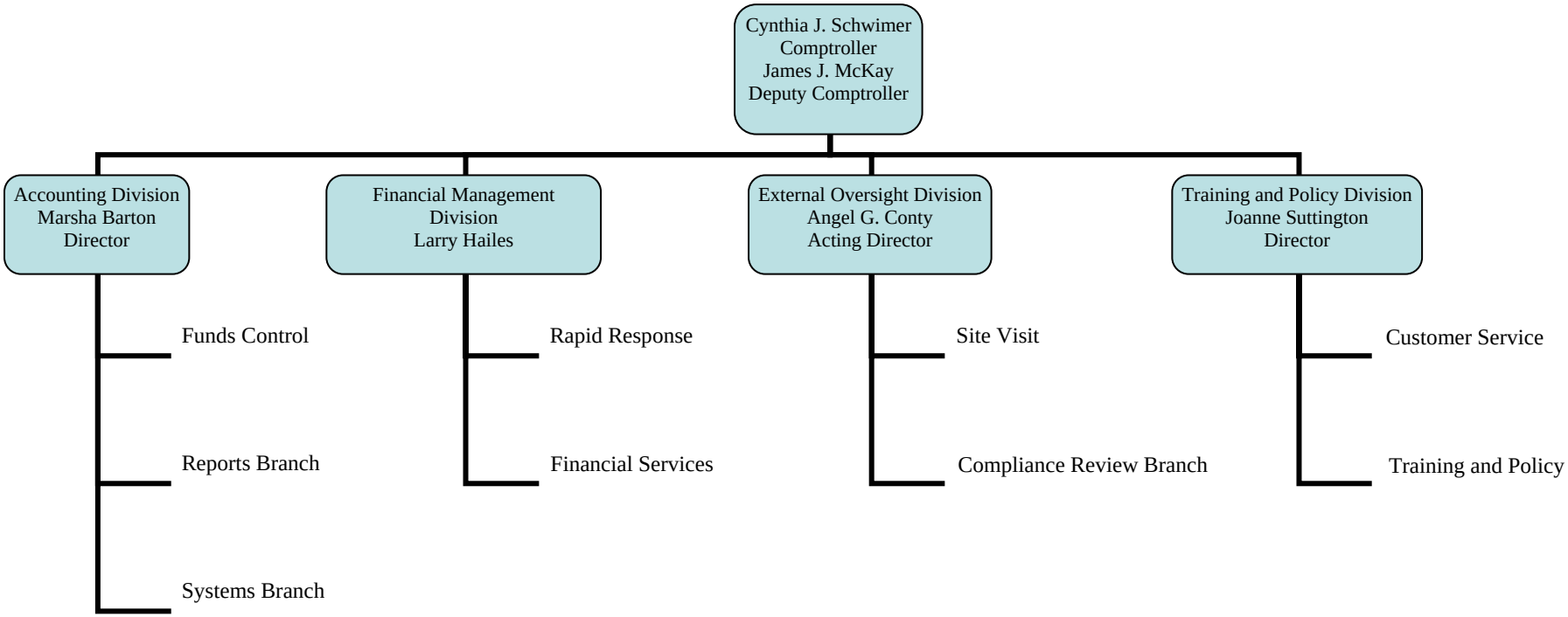
Office of Justice Programs

Organizational Chart



Office of the Comptroller

Organizational Chart



Chapter 2: Legislative Authority

HIGHLIGHTS OF CHAPTER:

- OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

  16.523 Juvenile Accountability Block Grants Program (JABG)
  16.540 Juvenile Justice and Delinquency Prevention — Allocation to States
  16.541 Juvenile Justice and Delinquency Prevention — Special Emphasis (Program Grants and Discretionary Grants)
  16.542 National Institute for Juvenile Justice and Delinquency Prevention
  16.543 Missing Children's Assistance
  16.544 Gang-Free Schools and Communities — Community-Based Gang Intervention
  16.547 Victims of Child Abuse
  16.548 Title V Delinquency Prevention Program
  16.549 Part E State Challenge Activities (Challenge Grants)
  16.726 Juvenile Mentoring Program (JUMP)
  16.727 Enforcing Underage Drinking Laws Program
  16.728 Drug Prevention Program
  16.729 Drug-Free Communities Support Program Grants
  16.730 Reduction and Prevention of Children's Exposure to Violence (Safe Start)
  16.731 Tribal Youth Program
  16.732 National Evaluation of the Safe Schools — Healthy Student Initiative

- BUREAU OF JUSTICE STATISTICS

  16.550 State Justice Statistics Program for Statistical Analysis Centers (SAC)
  16.554 National Criminal History Improvement Program (NCHIP)
  16.733 National Incident Based Reporting System (NIBRS)

- NATIONAL INSTITUTE OF JUSTICE
  - 16.560 Justice Research, Evaluation, and Development Project Grants
  - 16.561 National Institute of Justice Visiting Fellowships
  - 16.562 Criminal Justice Research and Development— Graduate Research Fellowship Program
  - 16.563 Corrections and Law Enforcement Family Support
  - 16.564 Crime Laboratory Improvement—Combined Offender DNA Index System Backlog Reduction
  - 16.565 National Institute of Justice Domestic Anti-Terrorism Technology Development Program

- BUREAU OF JUSTICE ASSISTANCE
  - 16.571 Public Safety Officers' Benefits Program
  - 16.577 Emergency Federal Law Enforcement Assistance
  - 16.578 Federal Surplus Property Transfer Program
  - 16.579 Byrne Formula Grant Program
  - 16.580 Edward Byrne Memorial State and Local Law Enforcement Assistance Discretionary Grants Program (Discretionary Drug and Criminal Justice Assistance Program)
  - 16.592 Local Law Enforcement Block Grants Program
  - 16.597 Motor Vehicle Theft Protection Act Program (Watch Your Car)
  - 16.598 State Identification Systems (SIS) Grant Program
  - 16.606 State Criminal Alien Assistance Program (SCAAP)
  - 16.607 The Bulletproof Vest Partnership Program
  - 16.608 Tribal Court Assistance Program
  - 16.609 Planning, Implementing, and Enhancing Strategies in Community Prosecution
  - 16.610 Regional Information Sharing Systems Grants (RISS)
  - 16.611 Closed-Circuit Televising of Child Victims of Abuse (CCTV)
  - 16.612 National White Collar Crime Center (NWCCC)
  - 16.613 Scams Targeting the Elderly
  - 16.614 State and Local Anti-Terrorism Training (SLATT)
  - 16.615 Public Safety Officers' Educational Assistance (PSOEA)

- OFFICE FOR VICTIMS OF CRIME
  - 16.321 Antiterrorism and Emergency Assistance Program
  - 16.575 Crime Victim Assistance
  - 16.576 Crime Victim Compensation
  - 16.582 Crime Victim Assistance/Discretionary Grants
  - 16.583 Children's Justice Act Discretionary Grants for Native Americans (Children's Justice Act Partnership for Native American Indian Tribes)

- CIVIL RIGHTS DIVISION
  - 16.108 Americans With Disabilities Act (ADA) Technical Assistance Program
  - 16.110 Education and Enforcement of the Antidiscrimination Provision of the Immigration and Nationality Act (INA)

- DRUG COURTS PROGRAM OFFICE
  - 16.585 Drug Court Discretionary Grant Program (Drug Court Program)

- CORRECTIONS PROGRAM OFFICE
  - 16.586 Violent Offender Incarceration and Truth in Sentencing Incentive Grants (Prison Grants)
  - 16.593 Residential Substance Abuse Treatment for State Prisoners (RSAT)
  - 16.594 Prevention, Diagnosis, and Treatment of Tuberculosis in Correctional Institutions
  - 16.596 Correctional Grant Program for Indian Tribes

- VIOLENCE AGAINST WOMEN OFFICE
  - 16.524 Legal Assistance for Victims
  - 16.525 Grants to Reduce Violent Crimes Against Women on Campus
  - 16.587 Violence Against Women Discretionary Grants for Indian Tribal Governments
  - 16.588 Formula Grants
  - 16.589 Rural Domestic Violence and Child Victimization Enforcement Grant Program
  - 16.590 Grants to Encourage Arrest Policies and Enforcement of Protection Orders
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- EXECUTIVE OFFICE OF WEED AND SEED
  - 16.595 Executive Office for Weed and Seed (Weed and Seed Program)

- OFFICE FOR DOMESTIC PREPAREDNESS
  - 16.007 State Domestic Preparedness Equipment Support Program
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  - 16.009 State and Local Domestic Preparedness Exercise Support
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- POLICE CORPS
  - 16.712 Police Corps and Law Enforcement Officers Training and Education

OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

FORMULA GRANTS

16.523 Juvenile Accountability Block Grants Program (JABG)

AUTHORIZATION: Public Law 105-119, Fiscal Years 1999-2001 Appropriations Act, Pub.L.106-277553 (1998-2000), referencing H.R. 3 (May 3, 1997).

OBJECTIVES: To provide States and units of local government with funds to develop programs to promote greater accountability in the juvenile justice system. To survey the field and identify projects that would benefit from research, demonstration, and evaluation in the 12 purpose areas identified in the JABG Program. To provide training and technical assistance to States and units of local government so they may develop programs outlined in the 12 program areas to promote greater accountability in the juvenile justice system.

USES AND USE RESTRICTIONS: A total of $250 million was appropriated in FY 2000 to be used as follows: Formula grant funds in the amount of $231,273,500 were available for use in the following areas: building, expanding, renovating or operating temporary or permanent juvenile correction or detention facilities, including training for correctional personnel; developing and administering accountability-based sanctions for juvenile offenders; hiring additional juvenile judges, probation officers, and court-appointed defenders, and funding pretrial services for juveniles, to ensure the smooth and expeditious administration of the juvenile justice system; hiring additional prosecutors so that more cases involving violent juvenile offenders can be prosecuted and backlogs can be reduced; providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively; providing funding for technology, equipment and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders; providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism; the establishment of court-based juvenile justice programs that target young firearms offenders through the establishment of juvenile gun courts for the adjudication and prosecution of juvenile firearms offenders; the establishment of drug court programs for juveniles so as to provide continuing judicial supervision over juvenile offenders with substance abuse problems and to provide the integrated administration of other sanctions and services; establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice systems, schools, and social services agencies to make more informed decisions regarding the early identification, control supervision and treatment of juveniles who repeatedly commit serious delinquent or criminal acts; establishing and maintaining accountability-based programs that work with juvenile offenders who are referred by law enforcement agencies, to protect students and school personnel from drug, gang, and youth violence; implementing a policy of controlled substance testing for appropriate categories of juveniles within the juvenile justice system. Funds in the amount of $7.5 million were available to support research, evaluation, and demonstration projects consistent with this program. Input was solicited from the States to determine which of the 12 areas are most important and where the greatest needs are. This information guided and provided insight for research, evaluation, and demonstration activities under this program. OJJDP is collaborating with other OJP bureaus concerning the implementation of the Research and Evaluation Program. Training and technical assistance funds,

in the amount of $5 million, are available to support the 12 program areas targeted by the JABG Program.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Each State and territory (except Palau) is eligible to receive an allocation and award of funds for State and units of local government if the Governor certifies, consistent with guidelines established by the Attorney General, in consultation with Congress, that the State or territory is actively considering, or will consider within 1 year from the date of such certification, legislation, policies, or practices which, if enacted, would qualify the State or territory for a grant. The areas of certification are (1) Prosecution of Juveniles as Adults; (2) Graduated Sanctions; (3) Juvenile Record keeping; and (4) Parental Supervision. Public or private agencies, organizations, or individuals are eligible to apply for discretionary and training and technical assistance funds.

BENEFICIARY ELIGIBILITY: All States and territories are eligible to receive an allocation and award of funds for State and units of local government. Funds are available to public and private agencies, organizations, or individuals to apply for discretionary and training and technical assistance funds.

CREDENTIALS/DOCUMENTATION: Each applicant must submit a completed application, including signed assurances that it will comply with statutory and administrative requirements. The applicant is also required to submit a Governor certification, consistent with guidelines established by the Attorney General, in consultation with Congress, that the State is actively considering, or will consider within 1 year from the date of such certification, legislation, policies, or practices which, if enacted, would qualify the State for the grant. For Research and Evaluation grants, costs will be determined in accordance with OMB Circular No.A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: Public Law 105-119 allocates 0.5 percent of the appropriated amount for each State and territory and of the total funds remaining, allocates to each State an amount that bears the same ratio as the population of people under the age of 18 living in each State for the most recent calendar year in which the data is available. The Program requires a cash match of 10 percent of total program costs; Federal funds may not exceed 90 percent of total program costs. (Each State and territory that receives money under the JABG program must establish an interest-bearing trust fund to deposit program funds.) Interest derived from the award does not have to be matched, but interest generated from the trust fund cannot be used to match the Federal award. Matching contributions need not be applied at the exact time or in proportion to the obligation of Federal funds. However, the full match amount must be obligated by the end of the 24-month project period. For discretionary grants, no match is required.

16.540 Juvenile Justice and Delinquency Prevention—Allocation to States

AUTHORIZATION: Juvenile Justice and Delinquency Prevention Act of 1974, Section 221-223, Public Law 93-415, as amended; Public Law 95-503, Public Law 95-115, Public Law 96-509, Public Law 98-473, Public Law 100-690, and Public Law 102-586, 42 USC 5631-5633.

OBJECTIVES: To increase the capacity of State and local governments to support the development of more effective education, training, research, prevention, diversion, treatment, accountability based sanctions, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system.

USES AND USE RESTRICTIONS: This program, established by the Juvenile Justice and Delinquency Prevention Act of 1974, allocates formula grant funds to States and territories on the basis of their relative population under age 18. The minimum allocation to each State is $600,000 and to the Territories is $100,000. States/Territories must demonstrate compliance with four core requirements of the JJDP act in order to receive their full allocation of Formula Grants funds.

The core requirements are: Section 223(a) (12) (A) deinstitutionalization of status offenders; (13) separation of adults and juveniles in secure custody; (14) removal of juveniles from adult jails and lockups; and (23) the elimination of the disproportionate confinement of minority juveniles, where such conditions exist. The State's allocation will be reduced by 25 percent for each core requirement with which the State is in non-compliance. Technical Assistance: Not in excess of two percent of the funds available each fiscal year to formula grants is available for grants and contracts with public and private agencies, organizations and individuals to provide assistance to States, units of general local governments, and combinations thereof, and local private agencies to facilitate compliance with Section 223 of the JJDP Act and implementation of the State Plan approved by OJJDP. Technical assistance provided under this provision must be coordinated with the State agencies designated to implement the formula grants program.

To be eligible for formula grant funds, a State must submit a comprehensive plan applicable to a 3-year period embodying the purposes of the Act and including provisions that:

(1) provide for an advisory group appointed by the chief executive of the State to carry out specified functions and to participate in the development and review of the State's juvenile justice plan;

(2) provide within 3 years of submission of the initial plan that juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult, or offenses which do not constitute violations of valid court orders or such non-offenders as dependent and neglected children, are removed from secure juvenile detention and secure correctional facilities;

(3) provide that juveniles alleged to be or found to be delinquent and youths within the purview of the deinstitutionalization core requirement not be confined or detained in any institution in

which they have contact with adult persons incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges;

(4) provide that no juvenile shall be detained or confined in any jail or lockup for adults (with specified exceptions); and

(5) provide for programs to eliminate the disproportionate confinement of minority juveniles where such condition exists.

Once the plan is approved, each State determines the specific programs to be funded. The States are responsible for processing applications for subgrants and administering funded projects. Two-thirds of funds must be passed through to units of general local government, private nonprofit agencies, and Indian Tribes performing law enforcement functions unless a waiver is granted.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: The Chief Executive of each State which chooses to apply for a formula grant shall establish or designate a State agency as the sole agency for supervising the preparation and administration of the plan, in accordance with the Juvenile Justice Amendments of 1984.

TECHNICAL ASSISTANCE: Grants and contracts may only be made to agencies, organizations and individuals that have experience in providing technical assistance to State agencies in implementing State plans, and in facilitating compliance with Section 223 of the JJDP Act. (Public Law 102-586).

BENEFICIARY ELIGIBILITY: Units of a State and its local government, public and private organizations,

Indian tribes performing law enforcement functions, and agencies involved in juvenile delinquency prevention, treatment, and rehabilitation.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: Formula based on juvenile population. Grantees are required to provide dollar for dollar match on planning and administration funds. Action programs allow no match. At least 66 2/3 percent of the funds received by the State under Section 222(a) of the Juvenile Justice and Delinquency Prevention Act of 1974, must be "expended by" or "passed through to" programs of units of general local government, private nonprofit agencies, and Indian tribes performing law enforcement functions, insofar as they are consistent with the State Plan. This provision may be waived at the discretion of the OJJDP Administrator for any State depending upon the extent to which the services for delinquent or potentially delinquent youth are supported on a statewide basis.

16.541 Juvenile Justice and Delinquency Prevention—Special Emphasis (Program Grants and Discretionary Grants)

AUTHORIZATION: Juvenile Justice and Delinquency Prevention Act of 1974, Sections 261, 262, Public Law 93-415, as amended; Public Laws 95-503, 95-115, 96-509, 98-473, 100-690, and 102-586, 42 USC 5665-5665a.

OBJECTIVES: To develop and implement programs that design, test, and demonstrate effective approaches, techniques and methods for preventing and controlling juvenile delinquency, such as: community based-alternatives to institutional confinement; developing and implementing effective means of diverting juveniles from the traditional juvenile justice system; programs stressing advocacy activities aimed at improving services to youth impacted by the juvenile justice system; model programs to strengthen and maintain the family unit including self-help programs; prevention and treatment programs relating to juveniles who commit serious crimes; programs to prevent hate crimes; programs to provide aftercare and reintegration services; and programs to prevent youth gun and gang violence.

USES AND USE RESTRICTIONS: To be eligible for a Special Emphasis Assistance Award or contract, an applicant must:

(1) respond to legislative requirements contained in Section 261 (a) and (b) of the JJDP Act, as amended, as well as specific program guidelines issued by the Office of Juvenile Justice and Delinquency Prevention (OJJDP);

(2) be consistent with the objectives and priorities of OJJDP and the State's comprehensive juvenile justice and delinquency prevention plan;

(3) provide for proper program administration, evaluation, and fiscal reporting;

(4) demonstrate, in the overall quality of the proposal, that the program is technically sound and will achieve the required program objectives at the highest possible level;

(5) demonstrate that the proposed project meets the requirements of relative cost effectiveness pursuant to Section 262 (c)(1) and (c)(5) of the Juvenile Justice and Delinquency Prevention Act; and

(6) respond to clear and documentable needs.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Special Emphasis funds are available under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, to public and private nonprofit agencies, organizations, individuals, State and local units of government, and combinations of State or local units.

BENEFICIARY ELIGIBILITY: Public and private youth serving agencies/organizations, State and local units of government, combinations of such units, or other private agencies, organizations, institutions or individuals.

CREDENTIALS/DOCUMENTATION: Administration and costs appropriateness will be determined in accordance with the provisions of OMB circulars and government-wide common rules applicable to grants and cooperative agreements, including OMB Circular Nos. A-87 for State and local governments, A-21 for educational institutions, and A-122 for nonprofit organizations.

FORMULA AND MATCHING REQUIREMENTS: Special Emphasis: Grants awarded under the Juvenile Justice and Delinquency Prevention Act do not require a cash match.

16.542 National Institute for Juvenile Justice and Delinquency Prevention

AUTHORIZATION: Juvenile Justice and Delinquency Prevention Act of 1974, Section 241-248, as amended; Public Law 93-415, Public Law 95-503, 95-115, 96-509, 98-473, 100-690, and 102-586, 42 USC 5651-5662.

OBJECTIVES: To encourage, coordinate, and conduct research and evaluation of juvenile justice and delinquency prevention activities; to provide for public and private agencies, institutions, justice system agencies, a clearinghouse and information center for collecting, disseminating, publishing, and distributing information on juvenile delinquency; to conduct national training programs of juvenile related issues, and provide technical assistance and training to Federal, State, and local governments, courts, corrections, law enforcement, probation, public and private agencies, institutions, and individuals, in the planning, establishment, funding, operation, or evaluation of juvenile delinquency programs.

USES AND USE RESTRICTIONS: It is the purpose of the Institute to:

(1) provide a coordinating center for the collection, preparation, and dissemination of useful data regarding the prevention, treatment, and control of juvenile delinquency and child exploitation;

(2) provide training for human services professionals, judges, paraprofessionals, juvenile corrections and detention personnel, volunteers, and law enforcement personnel where activities relate to juvenile delinquency prevention and treatment programs and improvement of the juvenile justice system;

(3) promote leadership development in the field of juvenile justice;

(4) promote dissemination of information about new technologies and training methods;

(5) stimulate and support training in the fields of juvenile justice, and the human services networks which support the juvenile justice system; and

(6) support development of standards for the administration of juvenile justice.

The funds are also used to:

(1) conduct research, program development and evaluation into any aspect of juvenile delinquency, missing and exploited children;

(2) review standards of juvenile detention and correctional facilities;

(3) strengthen and maintain the family unit;

(4) improve our understanding of the development of pro-social and anti-social behavior patterns;

(5) report the number and characteristics of juveniles taken into custody;

(6) collect, process, and report on the data from the Nation's juvenile justice systems;

(7) assess the juvenile justice system's handling of sex offenders and their offenses;

(8) research and identify early court interventions, delays in sanctions, and effective juvenile offender prevention and treatment programs; and

(9) study waivers and transfers to adult courts and conduct research to increase knowledge of how violent youth gangs contribute to serious, violent, and chronic juvenile crime.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Public or private agencies, organizations, or individuals.

BENEFICIARY ELIGIBILITY: Public or private agencies, organizations, or individuals.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: No match required.

16.543 Missing Children's Assistance

AUTHORIZATION: Juvenile Justice and Delinquency Prevention Act of 1974,Title IV, Public Law 93-415, as amended; Public Laws 98-473, 100-690, 102-586, 104-235, and 106-71; codified as amended at 42 USC 5771-5780.

OBJECTIVES: To coordinate Federal missing and exploited children activities and to support research, training, technical assistance, and demonstration programs to enhance the overall response to missing children and their families. Establish and maintain a national resource center and clearinghouse dedicated to missing and exploited children issues that:

(1) provides a toll-free hotline where citizens can report investigative leads and parents and other interested individuals can receive information concerning missing children;

(2) provides technical assistance to parents, law enforcement, and other professionals working on missing and exploited children cases;

(3) promotes information sharing and provides technical assistance by networking with regional nonprofit organizations, State missing children clearinghouses, and law enforcement agencies;

(4) develops publications that contain practical, timely information; and

(5) provides information regarding programs offering free or low-cost transportation services that assist in reuniting children with their families.

On a periodic basis, conduct national incidence studies to determine the type and extent of missing children in America. Support law enforcement demonstration programs (e.g., the Internet Crimes Against Children Task Force Program) to enhance the investigative response to missing and exploited children cases. Support research to broaden understanding of a wide range of missing and exploited children issues (e.g., abduction homicide investigation solvability factors), to inform training and technical assistance efforts and to identify promising practices and programs for replication. Develop training programs for law enforcement, child protective services, medical personnel, and prosecutors to enhance coordination and effectiveness of missing and exploited children investigations and to enhance the overall system response. Identify service gaps and develop programs to meet specialized needs of parents or guardians of children who are reported missing. Provide a national central registry and toll-free hotline service to assist community organizations and law enforcement personnel to identify and return adults suffering from Alzheimer's disease who have wandered from home. Provide training, technical assistance, and publications to enhance community wide responses to wandering incidents by memory impaired adults.

USES AND USE RESTRICTIONS: The Administrator is authorized to make grants to and enter into contracts with public agencies or private nonprofit organizations, or combinations thereof, for research, demonstration projects, or service programs designed to:

(1) educate parents, children, and community agencies and organizations in ways to prevent the abductions and sexual exploitation of children;

(2) provide information to assist in the locating and return of missing children;

(3) aid communities in the collection of materials which would be useful to parents in assisting others in the identification of missing children;

(4) increase knowledge of and develop effective treatment pertaining to the psychological consequences on both parents and children, of (a) the abduction of a child, both during the period of disappearance and after the child is recovered; and (b) the sexual exploitation of a missing child;

(5) collect detailed data from selected States or localities on the actual investigative practices utilized by law enforcement agencies in missing children's cases;

(6) address the particular needs of missing children by minimizing the negative impact of judicial and law enforcement procedures on children who are victims of abuse or sexual exploitation and by promoting the active participation of children and their families in cases involving abuse or sexual exploitation of children;

(7) address the needs of missing children and their families following the recovery of such children;

(8) reduce the likelihood that individuals under 18 years of age will be removed from the control of such individuals' legal custodians without such custodians' consent; and

(9) establish or operate statewide clearinghouses to assist in recovering or locating missing children.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Missing Children's funds are available under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, to public and private nonprofit agencies, organizations, individuals, State and local units of government, combinations of State or local units.

BENEFICIARY ELIGIBILITY: State and local units of government, private nonprofit agencies, organizations, institutions or individuals.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular Nos. A-87 for State and local governments and A-122 for nonprofit organizations.

FORMULA AND MATCHING REQUIREMENTS: No match required.

16.544 Gang-Free Schools and Communities—Community—Based Gang Intervention

AUTHORIZATION: Juvenile Justice and Delinquency Prevention Act of 1974, Sections 281 and 283, Public Law 93-415, as amended, and Public Laws 100-690 and 102-586; codified as amended at 42 USC 5667-5667-1b.

OBJECTIVES: To prevent and to reduce the participation of juveniles in the activities of gangs that commit crimes. Such programs and activities may include:

(1) individual, peer, family, and group counseling, including provision of life skills training and preparation for living independently, which shall include cooperation with social services, welfare, and health care programs;

(2) education and social services designed to address the social and developmental needs of juveniles;

(3) crisis intervention and counseling to juveniles, who are particularly at risk of gang involvement, and their families;

(4) the organization of the neighborhood and community groups to work closely with parents, schools, law enforcement, and other public and private agencies in the community; and

(5) training and assistance to adults who have significant relationships with juveniles who are or may become members of gangs, to assist such adults in providing constructive alternatives to participating in the activities of gangs.

To develop within the juvenile adjudicatory and correctional systems new and innovative means to address the problems of juveniles convicted of serious drug-related and gang-related offenses.

To provide treatment to juveniles who are members of such gangs, including members who are accused of committing a serious crime and members who have been adjudicated as being delinquent.

To promote the involvement of juveniles in lawful activities in geographical areas in which gangs commit crimes. To promote and support, with the cooperation of community-based organizations experienced in providing services to juveniles engaged in gang-related activities and cooperation of local law enforcement agencies, the development of policies and activities in public elementary and secondary schools which will assist such schools in maintaining a safe environment conducive to learning. To assist juveniles who are or may become members of gangs to obtain appropriate educational instruction, in or outside a regular school program, including the provision of counseling and other services to promote and support the continued participation of such juveniles in such instructional programs. To expand the availability of prevention and treatment services relating to the illegal use of controlled substances and controlled substances analogues (as defined in paragraphs (6) and (32) of section 102 of the Controlled Substances Act (21 USC 802) by juveniles, provided through State and local health and social services agencies. To provide services to prevent juveniles from coming into contact with the juvenile justice system again as a result of gang- related activity. To provide services at a special location in a school or housing project. To facilitate coordination and cooperation among:

(1) local education, juvenile justice, employment, and social service agencies; and

(2) community-based programs with a proven record of effectively providing intervention services to juvenile gang members for the purpose of reducing the participation of juveniles in illegal gang activities.

USES AND USE RESTRICTIONS: To be eligible for an award or contract, an applicant must:

(1) respond to legislative requirements contained in Section 281A and 282A of the JJDP Act, as amended, as well as specific program guidelines issued by the Office of Juvenile Justice and Delinquency Prevention (OJJDP);

(2) be consistent with the objectives and priorities of OJJDP;

(3) provide for adequate program administration, evaluation, and fiscal reporting;

(4) demonstrate, in the overall quality of the proposal, that the program is technically sound and will achieve the required program objectives at the highest possible level; and

(5) respond to clear and documentable needs.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Part D funds are available under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, to public or private nonprofit agencies, organizations, or individuals.

BENEFICIARY ELIGIBILITY: Public or private nonprofit agencies, organizations, or individuals.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular Nos. A-87 for State and local governments, A-21 for educational institutions, and A-122 for nonprofit organizations.

FORMULA AND MATCHING REQUIREMENTS: No match required.

16.547 Victims of Child Abuse

(Judicial Child Abuse Training, Investigation and Prosecution of Child Abuse Through the Criminal Justice System, Court Appointed Special Advocates (CASA), and Children's Advocacy Centers).

AUTHORIZATION: Victims of Child Abuse Act of 1990, Public Law 101-647, as amended; Public Law 102-586; codified as amended at 42 USC 13001, 13021 et seq.

OBJECTIVES: To develop model technical assistance and training programs to improve the courts' handling of child abuse and neglect cases. Facilitate the adoption of laws to protect children against the potential second assault of the courtroom proceeding; to address the present situation in which many States have adopted innovative procedures that have far outpaced Federal law, leaving those children who do enter the Federal system inadequately protected; to address the inconsistency and disparity among State laws on child abuse; to train criminal justice system personnel on up-to-date, innovative techniques for investigating and prosecuting child abuse cases; and to promote a multidisciplinary approach to coordinating the investigations and prosecution of child abuse cases and, thereby, limiting the number of pre-trial interviews a child must go through as well as better assure the accuracy of each interview, and to increase the number of communities making use of a Children's Advocacy Center approach to the investigation, prosecution and treatment of child abuse cases.

The National Court Appointed Special Advocate Association provides technical assistance, information and support to local CASA programs, as well as assists communities in developing new programs, and provides support to existing and developing State organizations on issues such as the development of goals and objectives, State legislation, and State standards to strengthen local programs. Assist communities in developing child-focused programs designed to improve

the resources available to children and families; providing support to non-offending family members; enhance coordination among community agencies, professionals, and provide medical support to health care and mental health care professionals involved in the intervention, prevention, prosecution, and investigation systems that respond to child abuse cases.

The American Prosecutors Research Institute's National Center for the Prosecution of Child Abuse (NCPCA) pursues improvement of the quality of child abuse prosecution by providing training and technical assistance in the subject area.

USES AND USE RESTRICTIONS: Funds are available specifically to achieve the objectives of the Judicial Child Abuse Training, Investigation and Prosecution of Child Abuse Through the Criminal Justice System, Court Appointed Special Advocates (CASA), and the Regional and Local Advocacy Centers.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Eligible applicants are designated in the congressional appropriations process for judicial child abuse training, investigation and prosecution of child abuse through the criminal justice system, and Court Appointed Special Advocates (CASA). Local nonprofit agencies/ organizations may apply to National Court Appointed Special

Advocates (NCASA) for State CASA programs and to start or expand local court appointed special advocate programs. Advocacy centers or agencies/organizations interested in start-up of children's advocacy centers may apply to the National Children's Alliance (NCA) for funds awarded to them by OJJDP for this purpose.

BENEFICIARY ELIGIBILITY: Public or private agencies/organizations addressing child abuse problem.

CREDENTIALS/DOCUMENTATION: Cost will be determined in accordance with OMB Circular Nos. A-87 for State and local governments, A-21 for educational institutions, and A-122 for nonprofit organizations.

FORMULA AND MATCHING REQUIREMENTS: Not applicable.

16.548 Title V Delinquency Prevention Program

AUTHORIZATION: Juvenile Justice and Delinquency Prevention Act of 1974, Section 505, Title V, Public Law 93-415 as amended, Public Law102-586 and 104-316; codified as amended at 42 USC 5781-5785.

OBJECTIVES: To increase the capacity of State and local governments to support the development of more effective prevention programs to improve the juvenile justice system through risk and protective factor focused programming approach.

USES AND USE RESTRICTIONS: This program authorizes the Administrator to make grants to a State, to be transmitted through the State Advisory Group (SAG), to units of local government for delinquency prevention programming.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: All States agencies designated by the Chief Executive under Section 299 (C) of the JJDP Act are eligible to apply for Title V funds. States will invite units of local government that meet the statutorily mandated eligibility requirements to apply for funding and competitively select for funding those jurisdictions that meet the minimum selection criteria specified in the guidelines as published in the Federal Register, and other such criteria as the State shall adopt.

BENEFICIARY ELIGIBILITY: Youth at risk of juvenile justice involvement and their families.

CREDENTIALS/DOCUMENTATION: Cost will be determined in accordance with OMB Circular No.A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: Formula based on population of youth under the maximum age of original juvenile court delinquency jurisdiction. State or units of general local government must match Title V fund with a 50 percent cash or the value of in-kind contributions.

16.549 Part E State Challenge Activities (Challenge Grants)

AUTHORIZATION: Juvenile Justice and Delinquency Prevention Act of 1974, Section 285; Public Law 93-415 as amended; Public Law 102-586, codified as amended at 42 USC 5667c.

OBJECTIVES: The purpose of the Challenge Grant Program is to provide incentives for States participating in the Formula Grants Program to develop, adopt, and approve policies and programs in one or more of ten specified challenge activities to improve the State's juvenile justice system.

USES AND USE RESTRICTIONS: Funds must be used to support the ten challenge activities specified in Section 285(b)(2) of the Juvenile Justice Delinquency Program Act, as amended.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: The only eligible applicants for Part E Challenge Grants in a given fiscal year are the State agencies, designated by the Chief Executive of the State pursuant to Section 223(a)(1) of the JJDP Act, which receive OJJDP Formula Grant awards under Section 223 of the JJDP Act for the same fiscal year.

BENEFICIARY ELIGIBILITY: State governments participating in the OJJDP Formula Grant Program. Youth involved in the continuum of the juvenile justice system and their families.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: Each State may apply for a Part E grant in an amount equal to the sum of not more than 10 percent of such State's Formula Grant allocation received, for each Challenge activity in which the State chooses to participate, not to exceed the total amount of the State's Part E allocation. No matching funds are required.

16.726 Juvenile Mentoring Program (JUMP)

AUTHORIZATION: Juvenile Justice and Delinquency Prevention Act of 1974, Section 288, as amended, Public Law 93-415, as amended; Public Law 102-586, and 103-322; codified as amended at 42 USC 5667e, et seq.

OBJECTIVES: To reduce juvenile delinquency and gang participation, improve academic performance, and reduce the dropout rate through the use of mentors for at-risk youth.

USES AND USE RESTRICTIONS: JUMP provides support for one-to-one mentoring programs for at-risk youth. An "at-risk youth" is, for purposes of this program, a youth who is at risk of educational failure or dropping out of school. A "mentor" is defined as an adult, 21 years or older, who works with an at-risk youth on a one-to-one basis, establishes a supportive relationship with the youth, and provides the youth with academic assistance and exposure to new experiences which enhance the youth's ability to become a responsible citizen.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Local education agencies (LEA) or public/private nonprofit organizations. Both entities (LEA or public/private nonprofit organizations) must collaborate with the other to implement the program. Accordingly, each applicant has specified the nature of the relationship with either the school or school agency (if the applicant is a nonprofit) or with the nonprofit (if the applicant is a LEA).

BENEFICIARY ELIGIBILITY: LEA and public/private nonprofit organizations.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments, and OMB Circular No. A-110 for Institutions of Higher Education, Hospitals and Other Nonprofit Organizations.

FORMULA AND MATCHING REQUIREMENTS: Special Emphasis Grants awarded under The Juvenile Justice and Delinquency Prevention Act do not require a cash match, except for construction projects, where the match is 50 percent on community-based facilities of 20 beds or less.

16.727 Enforcing Underage Drinking Laws Program

AUTHORIZATION: Omnibus Consolidated and Emergency Supplemental Appropriation Act of 1999, Public Law 105-277, FY 2001 Appropriations Act, Public Law106-553 (2000).

OBJECTIVES: To support and enhance efforts by States, in cooperation with local jurisdictions, to enforce underage drinking by prohibiting the sale of alcoholic beverages, or the consumption of alcoholic beverages by minors.

USES AND USE RESTRICTIONS: In fiscal year 2000, a total of $25 million was awarded as block and discretionary grants in the following manner: Funds were disbursed in the amount of $360,000 to each State and the District of Columbia in block grants to support and enhance efforts by States, in cooperation with local jurisdictions, to prohibit the sale of alcoholic beverages to, or consumption of alcoholic beverages by minors. Funds in the amount of $6,640,000 were disbursed to support discretionary program activities in local jurisdictions, training and technical assistance to all States and a national evaluation. To support local discretionary programming activity, funds were competitively awarded to State agencies receiving block grants. The local programs implement the comprehensive approach to curtailing access and consumption of alcoholic beverages by minors, including the enforcement of laws pertaining to underage alcohol purchase, possession, and use. Funds to support training and technical assistance and the national evaluation supplemented on-going efforts by the existing grantees. For purposes of this initiative, minors are defined as individuals under 21 years of age. These funds cannot be used to supplant existing programs and activities (supplanting means to deliberately reduce State or local funds because of the existence of Federal funds).

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: To receive a Block Grant, Governors and the Mayor of the District of Columbia designated an agency to serve as the point of contact to apply for, receive, and administer the targeted grant funds. The same designated agencies and territories may apply to receive a discretionary grant. Their applications must detail a comprehensive approach to curtailing access and consumption of alcoholic beverages by minors, including the enforcement of underage drinking laws and how that approach will be implemented by State-selected local communities. States are encouraged to link with ongoing public and private efforts (including those of foundations and national organizations). Training and technical assistance and national evaluation funds were made available through a separate application process.

BENEFICIARY ELIGIBILITY: States, territories, the District of Columbia, and Native American/Alaskan Native communities are eligible to apply for discretionary funds through a separate application process.

CREDENTIALS/DOCUMENTATION: Each applicant applying for funds must submit a completed application, including signed assurances that it will comply with administrative requirements. In fiscal year 2000, discretionary funds were awarded to 11 States (CT, HI, KS, ME, MD, MN, MT, NV, OK, PA, WI) and 1 territory, Puerto Rico. Each State selected a minimum of two local jurisdictions in which to implement this initiative.

FORMULA AND MATCHING REQUIREMENTS: In fiscal year 2000, a total of $25 million was appropriated and allocated, as in fiscal year 1999, to continue supporting the Enforcing

Underage Drinking Laws Program. These funds will be disbursed through assistance awards of $360,000 to each State and the District of Columbia; discretionary funds in the amount of $6,640,000.

16.728 Drug Prevention Program

AUTHORIZATION: Public Law 105-119, FY 2001 Appropriations Act, Public Law 106-553 (2000).

OBJECTIVES: To reduce drug use by encouraging the promotion of multiple approaches including the replication of the Life Skills Training (drug prevention) program, to educating and motivating young adolescents to pursue healthy lifestyles and fostering interpersonal and decision making skills, which will help them choose alternatives to high risk behaviors.

USES AND USE RESTRICTIONS: To be eligible for a discretionary award, an applicant must respond to specific program guidelines issued by the Office of Juvenile Justice and Delinquency; provide for proper program administration, evaluation, and fiscal reporting, demonstrate, in the overall quality of the proposal, that the program is technically sound and will achieve the required program objectives at the highest possible level; demonstrate that the proposed project meets the requirements of relative cost effectiveness; and respond to clear and documentable needs.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Public and private agencies/organizations, all States and territories, and local units of government are eligible to receive funds.

BENEFICIARY ELIGIBILITY: Public and private agencies/organizations, all States and territories, and local units of government are eligible to receive funds.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular Nos. A-87 for State and local governments, A-21 for educational institutions, and A-122 for nonprofit organizations.

FORMULA AND MATCHING REQUIREMENTS: No match required.

16.729 Drug-Free Communities Support Program Grants

AUTHORIZATION: Drug-Free Communities Act of 1997, Public Law 105-20 (1997), codified at 21 USC 1521 et seq.; Juvenile Justice and Delinquency Prevention Act, 42 USC 5651 et seq.

OBJECTIVES: To increase the capacity of community coalitions to reduce substance abuse among youth, and over time, to reduce substance abuse among adults through strengthening collaboration among communities, public, and private entities. To disseminate state-of-the-art information on practices and initiatives that have proven to be effective in reducing substance abuse among youth.

USES AND USE RESTRICTIONS: This program, established by the Drug-Free Communities Act of 1997, awards grants to community coalitions for amounts up to $100,000 through a competitive grant award process. The focus of the program is on community coalitions that have been in existence for a minimum of 6 months, coalitions that have 5-year strategic plans aimed at reducing substance abuse among youth, and over time, among adults, and coalitions that have provided an equal match for the funds that they seek. These community coalitions are to collaborate with entities in the community including government agencies to coordinate and strengthen efforts to reduce substance abuse. The program aims to disseminate timely state-of-the-art information on practices and initiatives that have proven to be effective in reducing substance abuse.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Community coalitions must demonstrate that the community coalition has worked together for a period of not less than 6 months on substance abuse reduction initiatives. The coalition must: meet the composition requirements; ensure that there is substantial community volunteer effort; ensure that the coalition is a nonprofit, charitable, educational organization, or unit of local government, or is affiliated with an eligible organization or entity; possess a strategy to be self-sustaining; provide a 100 percent cash or in-kind match; and agree to participate in an evaluation of the coalition's program.

BENEFICIARY ELIGIBILITY: Community coalitions, children, youth, and adults, those at-risk of substance abuse, and private nonprofit, and public community agencies.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular Nos. A-87 for State and local governments, A-21 for educational institutions, and A-122 for nonprofit organizations.

FORMULA AND MATCHING REQUIREMENTS: Drug-Free Communities Support Program grants awarded under the Drug-Free Communities Act require a 100 percent cash or in-kind match.

16.730 Reduction and Prevention of Children's Exposure to Violence (Safe Start)

AUTHORIZATION: Omnibus Consolidated and Emergency Supplemental Appropriation Act of 1999, Public Law 105-277, FY 2001 Appropriations Act, Public Law 106-553 (2000).

OBJECTIVES: To develop a demonstration initiative to prevent and reduce the impact of family and community violence on young children (primarily from birth to six years of age) by helping communities to expand existing partnerships between service providers (such as law enforcement, mental health, health, early childhood education and others) to create a comprehensive service delivery system.

USES AND USE RESTRICTIONS: Applicant selected to receive Safe Start cooperative agreements may use funds to establish and enhance a broad range of local prevention, intervention

and treatment services for young children who have been exposed and are at risk of being exposed to violence; develop effective multi-agency protocols; coordinate services to develop a communitywide system for responding to the needs of children exposed or at risk of exposure to violence.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: To be eligible for a Safe Start cooperative agreement, an applicant must be a public agency applying on behalf of a collaborative group of agencies working to prevent and address the impact of exposure to violence on children. Private agencies and organizations may apply as co-applicants as long as the lead applicant is a public agency.

BENEFICIARY ELIGIBILITY: Eligible applicants for the Safe Start Demonstration Project are communities that have formed a strong collaborative group (or shown the ability and commitment to expand coordination with key partners such as courts, law enforcement, early childhood development and domestic violence agencies, and mental health services) to prevent and address the impact that exposure to violence has on young children. Only public agencies (including State agencies, units of local government, and tribal governments) may apply as lead applicants.

Applicants for the evaluation are public and private agencies (private, for-profit organizations must agree to waive any profit or fee), organizations, institutions, or individuals that have demonstrated experience in evaluating broad-based community initiatives and whose experience includes the design of studies capable of analyzing process and measuring impact across multiple communities and the development and delivery of evaluation-based training and technical assistance.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments, Circular No. A-21 for educational institutions, and Circular No. A-122 for nonprofit organizations.

FORMULA AND MATCHING REQUIREMENTS: Special Emphasis: Grants awarded under the Juvenile Justice and Delinquency Prevention Act do not require a cash match; except for construction projects, where the match is 50 percent on community based facilities of 20 beds or less.

16.731 Tribal Youth Program

AUTHORIZATION: Appropriations for the Departments of Commerce, Justice, State, the Judiciary, and Related Agencies, FY 2001 Appropriations Act, Public Law 106-553 (2000).

OBJECTIVES: To support and enhance tribal efforts for comprehensive delinquency prevention, control, and juvenile justice system improvement for Native American youth.

USES AND USE RESTRICTIONS: To reduce, control, and prevent crime both by and against tribal youth; to provide interventions for court- involved tribal youth; to improve tribal juvenile justice systems; and to provide prevention programs focusing on alcohol and drugs.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Applications are only invited from Federally recognized tribes and Alaskan Native villages; however, tribes and villages may partner with others as applicable. If partnering with others, a Memorandum of Understanding (MOU) should be submitted with the application. Additionally, one tribe should be chosen as the primary agency for funding and reporting purposes.

BENEFICIARY ELIGIBILITY: All Federally recognized tribes and Alaskan Native villages.

CREDENTIALS/DOCUMENTATION: Each applicant must submit a completed application, including signed assurances that it will comply with statutory and administrative requirements.

FORMULA AND MATCHING REQUIREMENTS: Not applicable.

16.732 National Evaluation of the Safe Schools—Healthy Student Initiative

AUTHORIZATION: Omnibus Consolidated and Emergency Supplemental Appropriation Act of 1999, Public Law 105-277, FY 2001 Appropriations Act, Public Law 106-553 (2000).

OBJECTIVES: To conduct an evaluation of the Safe Schools/Healthy Students Initiative.

USES AND USE RESTRICTIONS: Applicant selected to receive cooperative agreement for national evaluation of the Safe Schools/Healthy Students Initiative must use the funds to evaluate the Safe Schools/Healthy Students Initiative.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Applicants are invited from public and private agencies, organizations, institutions, or individuals. Applicants must demonstrate that they have experience in evaluating broad-based community initiatives. Private, for-profit organizations must agree to waive any profit or fee. Joint applications from two or more eligible applicants are welcome, as long as one is designated the primary applicant for purposes of correspondence, awards, and management and any others as co-applicants.

BENEFICIARY ELIGIBILITY: Public or private agencies, organizations, or individuals.

CREDENTIALS/DOCUMENTATION: None.

FORMULA AND MATCHING REQUIREMENTS: Grants awarded under the JJDP Act do not require a cash match; except for construction projects, where the match is 50 percent on community-based facilities of 20 beds or less.

BUREAU OF JUSTICE STATISTICS

16.550 State Justice Statistics Program for Statistical Analysis Centers (SAC)

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Section 301,

Public law 90-351, §301, et seq., as amended, Public Laws 96-157, 98-473, 100-690, and 103-322; codified as amended at 42 USC 3731-3735.

OBJECTIVES: To provide financial and technical assistance to State governments for the establishment and operation of SAC to collect, analyze, and disseminate justice statistics.

USES AND USE RESTRICTIONS: To improve the administration of justice by encouraging the development of State-level capabilities for collecting, analyzing, utilizing, and disseminating statistical information pertaining to crime, criminal justice, sex offenses, incident based reporting, and for providing statistical information to the Federal Government for national compilations. To analyze particular criminal justice issues of current concern and significance to criminal justice practitioners, as identified by BJS in conjunction with other Office of Justice Programs components, the Justice Research and Statistics Association, and selected SAC Directors. Further information is available in the "State Justice Statistics Program for Statistical Analysis Centers: Program Application Guidelines, FY 2001" expected for release by April 2001.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: The Bureau of Justice Statistics is authorized to award grants and cooperative agreements to State agencies authorized by State legislation or executive order and designated with responsibility for the particular programs.

BENEFICIARY ELIGIBILITY: Eligible beneficiaries are State agencies whose responsibilities include statistical activities consistent with the goals of the specific programs.

CREDENTIALS/DOCUMENTATION: The applicant must furnish, along with the application for an award, details of the program budget composition, goals, impact, methods, evaluation plan, and resources of the project. Costs will be determined in accordance with OMB Circular Nos.A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: There is no statutory requirement for matching funds. For most programs, however, provision of cash or in-kind match by the recipient is encouraged.

16.554 National Criminal History Improvement Program (NCHIP)

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Section 509, Public Law 90-351, codified as amended at 42 USC 3759; Brady Handgun Violence Prevention Act,

Section 106(b), Public Law 103-159, codified as amended at 4218 USC 921 et seq; Crime Identification Technology Act of 1998, Public Law 105-251; codified as amended at 42 USC§14601 National Child Protection Act of 1993, Section 4(b), Public Law 103-209, codified as amended at 42 USC 5119 et seq; Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322; codified as amended 42 USC 13701 et seq.

OBJECTIVES: To enhance the quality and completeness of the nation's criminal history record systems; to provide financial and technical assistance to States for the establishment or improvement of computerized criminal history record systems and in their efforts to collect data on stalking and domestic violence; to improve data accessibility and support data transmissions to the national system which will permit the immediate identification of persons who are prohibited from purchasing firearms, are subject to domestic violence protective orders, or are ineligible to hold positions of responsibility involving children, the elderly, or the disabled; to support the development of accurate and complete State sex offender identification and registration systems which interface with the FBI's Sex Offender Registry and meet applicable Federal and State requirements; to develop and improve the processes for identifying, classifying, collecting, and entering data regarding stalking and domestic violence into local, State, and national crime information databases; to ensure that criminal justice systems are designed, implemented or upgraded to be compliant where applicable, with the FBI operated National Instant Criminal Background Check System and Interstate Automated Fingerprint Identification System, meet other applicable statewide or regional criminal justice information sharing standards and plans; and, build upon ongoing efforts so as to support the wide range of technology based, criminal justice information, identification, and communications needs identified by the States.

USES AND USE RESTRICTIONS: Allowable uses of funds are outlined in the NCHIP fiscal year 2001 Program Announcement released in March/April 2001. Allowable costs include costs associated with participation in the Interstate Identification Index (III), the National Instant Criminal Background Check System (NICS), and the National Sex Offender Registry (NSOR), database automation and record improvements, record flagging, AFIS/live scan, interface with systems compatible with the National Incident-Based Reporting System, relevant equipment, training, and research.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Awards will be made to the agency designated by the Governor to administer the NCHIP program. An award will be made to each eligible applicant State. The designated agency may be the agency with primary responsibility for implementing the major activity to be funded with NCHIP funds or a parent agency with programmatic oversight over, and legislative authority to transfer funds to, such agency.

BENEFICIARY ELIGIBILITY: Funds awarded to the State may be allocated for use in State or local agencies or the courts. Private organizations may receive funds under contract arrangements with a governmental unit to which NCHIP funds are allocated by the State.

CREDENTIALS/DOCUMENTATION: The applicant must furnish, along with the application for an award, a detailed budget, a budget narrative, and a program narrative including the accomplishments, goals, impact, methods, evaluation plan, and resources of the project.

FORMULA AND MATCHING REQUIREMENTS: Provisions of a 10 percent cash or in-kind match by the recipient is required.

16.733 National Incident Based Reporting System (NIBRS)

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Public Law 105-251, 42 USC 37601; Crime Identification Technology Act of 1998.

OBJECTIVES: To allow State and local jurisdictions to capture detailed offense, offender, victim, property, and arrest information. NIBRS moves beyond aggregate statistics and raw counts of crimes and arrests that comprise the summary UCR program to individual records for each reported crime incident and its associated arrest.

USES AND USE RESTRICTIONS: To provide funding to jurisdictions for implementing the NIBRS. The NIBRS grants will be awarded to selected jurisdictions to develop or enhance records management systems that are NIBRS-compatible.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: NIBRS awards are made to States applying on behalf of one or more cities or counties in the State, regardless of whether the State maintains a UCR program. Because of limited funding, not every state will receive an award, and the grants may not cover the entire costs of the conversion to NIBRS.

BENEFICIARY ELIGIBILITY: Eligible beneficiaries are jurisdictions who are responsible for implementing the NIBRS.

CREDENTIALS/DOCUMENTATION: The applicant must furnish, along with the application for an award, a detailed budget, a budget narrative, and a program narrative including the goals, impact, methods, evaluation plan, and resources of the project.

FORMULA AND MATCHING REQUIREMENTS: The Crime Identification Technology Act requires that fund recipients provide a 10 percent match of total project costs.

NATIONAL INSTITUTE OF JUSTICE

16.560 Justice Research, Evaluation, and Development Project Grants

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Sections 201-203, Public Law 90-351 as amended; Public Laws 96-157, 98-473, 100-690, 103-322, and 104-316; codified as amended at 42 USC 3721-3723.

OBJECTIVES: To encourage and support research, development, and evaluation to further understanding of the causes and correlates of crime and violence, methods of crime prevention and control, and criminal justice system responses to crime and violence and contribute to the improvement of the criminal justice system and its responses to crime, violence and delinquency.

USES AND USE RESTRICTIONS: The funds may be used to conduct research and development pertaining to the above objectives, including the development of new or improved approaches, techniques, systems, and technologies and to carry out programs of research on the causes of crime and means of preventing crime, and to evaluate criminal justice programs and procedures, and responses to crime, violence and delinquency.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: The National Institute of Justice (NIJ) is authorized to make grants to, or enter into contracts or cooperative agreements with State and local governments, private nonprofit organizations, public nonprofit organizations, profit organizations, nonprofit organizations, institutions of higher education, and qualified individuals. Applicants from the Territories of the United States and federally recognized Indian Tribal Governments are also eligible to participate in this program.

BENEFICIARY ELIGIBILITY: State and local governments, private nonprofit organizations, public nonprofit organizations, profit organizations, nonprofit organizations, institutions of higher education, and qualified individuals.

CREDENTIALS/DOCUMENTATION: The applicant must furnish, along with the application for a grant, cooperative agreement or contract, resumes of principal investigator and key personnel, details of the budget composition, goals, impacts, methods, evaluation, schedule and resources of the project. Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments and OMB Circular No. A-21 for educational institutions.

FORMULA AND MATCHING REQUIREMENTS: This program has no statutory formula requirement. However, the Institute shall require, whenever feasible, as a condition of approval of a grant or contract that the recipient contribute money, facilities, or services to carry out the purpose for which the grant is sought.

16.561 National Institute of Justice Visiting Fellowships

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Sections 201-202, Public Law 90-351 as amended; Public Laws 96-157, 98-473, 100-690, 103-322, and 104-316; codified as amended at 42 USC 3721-3722.

OBJECTIVES: To provide opportunities for experienced criminal justice practitioners and researchers to pursue projects aimed at improved understanding of crime, delinquency and criminal justice administration by sponsoring research projects of their own creation and design.

USES AND USE RESTRICTIONS: The funds may be used to conduct research for both adult and juvenile systems on crime causation, crime measurements, crime prevention, law enforcement, criminal justice administration, and the effectiveness and efficiency of anti-crime programs. Fellows conduct their studies while based at the National Institute of Justice.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Fellowship grants are awarded to individuals or to their parent agencies or organizations. IPA appointments also may be negotiated with Fellows' parent agencies. Generally, professionals working in the criminal justice field, including university or college-based academic researchers and upper-level managers in criminal justice agencies are eligible.

BENEFICIARY ELIGIBILITY: Generally, professionals working in the field of criminal justice research are eligible for grants; those working for law enforcement related branches of State or local government units are eligible for grants or IPA appointments. Each prospective candidate must have at least a bachelor's degree.

CREDENTIALS/DOCUMENTATION: The applicant must furnish, along with the application for a grant, a resume, a project description which includes the project's scope, a discussion of the methodology, project period, and the anticipated impact of the study on the justice system. Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: This program has no formula or matching requirements.

16.562 Criminal Justice Research and Development—Graduate Research Fellowship Program

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Sections 201-202, Public Law 90-351 as amended; Public Laws 96-157, 98-473, 100-690, 103-322, and 104-316; codified as amended at 42 USC 3721-3722.

OBJECTIVES: To improve the quality and quantity of knowledge about crime and the criminal justice system, while, at the same time, helping to increase the number of persons who are qualified to teach in collegiate criminal justice programs, to conduct research related to criminal justice issues, and to perform more effectively within the criminal justice system.

USES AND USE RESTRICTIONS: Eligible students are doctoral candidates engaged in dissertation research and writing on a problem related to law enforcement, crime or criminal justice. A fellowship is funded for up to 18 months. This competitive program provides fellowship stipends, major project costs, and certain university fees for a maximum amount of $15,000. Students who do not qualify for the doctoral program may consider applying for other research grants under the fellowship solicitation.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Accredited institution of higher education offering a doctoral degree program. Degree does not have to be in criminal justice, but proposed dissertation work must be related to criminal justice issues.

BENEFICIARY ELIGIBILITY: The student must be engaged in writing a doctoral dissertation directly relevant to crime, law enforcement and/or criminal justice.

CREDENTIALS/DOCUMENTATION: Eligible graduate students interested in competing for a fellowship must furnish, along with the application for a grant, a letter of endorsement from the faculty advisor. Applicants must have completed all degree requirements except the research writing, and defense of the dissertation or an internship prior to the start of the grant. This program is excluded from coverage under OMB Circular No. A-87.

FORMULA AND MATCHING REQUIREMENTS: This program has no matching requirements.

16.563 Corrections and Law Enforcement Family Support

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994,Title XXI, Subtitle B, Section 210201, Public Law 103-322; codified as amended at 42 USC 3796jj, et seq.

OBJECTIVES: To research the effects of stress on law enforcement and correctional personnel and their families and disseminate the findings; identify and evaluate model programs that provide support services to law enforcement correctional personnel and families; provide technical assistance and training programs to develop stress-reduction and family support programs to State and local law enforcement and correctional agencies; collect and disseminate information regarding family support, stress-reduction, and psychological services to State and local law enforcement and correctional organizations and other interested parties; determine issues to be researched by the Department of Justice and grant recipients.

USES AND USE RESTRICTIONS: Corrections and Law Enforcement Family Support funds may be used by State or local law enforcement agencies or corrections agencies and/or police or corrections unions to demonstrate innovative techniques for, to provide training on, or to conduct research on reducing stress in law enforcement or correction organizations or experienced by law enforcement or correctional officers and\or their families.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: State and local law enforcement or correction agencies and organizations representing State or local law enforcement or correctional personnel including National, State, or local labor unions or associations representing commissioned State or local law enforcement correctional officers in contract negotiations or other employment matters in one or more law enforcement or corrections agencies may submit proposals. Other organizations such as universities, colleges, independent research enterprises, professional associations, hospitals, health care clinics, and counseling or other treatment service providers among others, while not eligible to submit proposals, may provide technical assistance in either a consulting or sub-contracting capacity to the applicant.

BENEFICIARY ELIGIBILITY: State and local law enforcement and corrections agencies and organizations representing State or local law enforcement or correctional personnel including National, State, or local labor unions or associations representing commissioned State or local law enforcement or correctional officers in contract negotiations or other employment matters in one or more law enforcement agencies may submit proposals. Other organizations such as universities, colleges, independent research enterprises, professional associations, hospitals, health

care clinics, and counseling or other treatment service providers among others, while not eligible to submit proposals, may provide technical assistance in either a consulting or sub-contracting capacity to the applicant.

CREDENTIALS/DOCUMENTATION: The applicant must submit a completed Application for Federal Assistance (Standard Form 424), including signed assurances that the applicant will comply with statutory and administrative requirements. The applicant is also required to submit a proposal describing the program for which funds are sought and explaining how the program will advance knowledge and/or the state of the art of practice in reducing stress for law enforcement officers and their families.

FORMULA AND MATCHING REQUIREMENTS: Law enforcement and correctional agencies are required to match all Federal funds with an equal amount of cash or in-kind goods or services from non-federal sources.

16.564 Crime Laboratory Improvement-Combined Offender DNA Index System Backlog Reduction

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Section 201, as amended; Anti-Drug Abuse Act of 1988, Public law 100-690; DNA Identification Act of 1994, Section 2401, Public Law 103-322, FY 2001 Appropriations Act, Public Law 106-553.

OBJECTIVES: To increase the capabilities and capacity of State and local crime laboratories in the United States to conduct state-of- the-art forensic evidence testing and to reduce the backlog of convicted offender DNA samples.

USES AND USE RESTRICTIONS: The Federal share of grants made under this program shall not exceed 75 percent of the total cost of the project described in the application. Furthermore, grant funds shall not be used to pay for State or local personnel costs. Project proposals shall demonstrate that the Federal share will be spent on expenses directly associated with the start-up or expansion of a public crime laboratory facility. Indirect and administrative costs are unallowable under this program. The Federal share shall not be used for new construction of laboratory buildings or facilities or to make modifications to existing laboratory space that are not necessary to house or operate required equipment. Federal funds shall not be used to replace funds already available for supplies to support forensic casework operations or the typing of convicted offender samples. Additionally, the Federal share shall not be used for travel-related or registration expenses for professional meetings and conferences. Expenditures from the Federal share may include the following: Laboratory equipment and supplies and other expenses directly attributable to conducting forensic analysis; outside training and related travel expenses for applicable graduate-level course work or training courses in specific methodologies as recommended by the Director of the Federal Bureau of Investigation (FBI) for DNA Quality Control/Quality Assurance; modifications to existing laboratory space only where necessary to accommodate required laboratory equipment and activities related to forensic analysis; contractor-provided services to conduct forensic testing of evidence; Combined Offender DNA Index System (CODIS) equipment and testing. Details regarding this program may be obtained by contacting

the Department of Justice Response Center at 1-(800)-421-6770 or accessing the web site at www.ojp.usdoj.gov/nij under Funding Opportunities.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: In accordance with the DNA Identification Act of 1994; Public Law 103-322, eligible applicants must be State or local (i.e., county and municipal) governments or combinations thereof. States with more than one current or prospective crime laboratory must work together to develop statewide testing programs and must demonstrate this coordination in the proposal. Such States should consider submitting a consortium proposal covering all affected laboratories. Local or regional crime laboratories may submit grant applications in conjunction with their State or they may submit on their own if coordination and participation with the State effort is clearly demonstrated and the need for forensic testing capabilities in the applicant's crime laboratory is justified. Applicants must certify that forensic analyses performed at the laboratory will satisfy or exceed the current standards for a Quality Assurance Program for DNA analysis issued by the Director of the Federal Bureau of Investigation under Section 14131 of Title 42 United States Code, as required by the DNA Identification Act of 1994, Public Law 103-322, as well as striving for ASCLD accreditation in other forensic disciplines.

BENEFICIARY ELIGIBILITY: In accordance with the DNA Identification Act of 1994; Public Law 103-322, eligible applicants must be State or local (i.e., county and municipal) governments or combinations thereof. The purpose of this solicitation is to request applications for grants from State and local (i.e., county and municipal) governments to develop or improve the capability to analyze forensic evidence in State and local forensic laboratories.

CREDENTIALS/DOCUMENTATION: The applicant must furnish, along with the application for a grant, the "Statutory Assurance" required by the DNA Identification Act of 1994, certification that Federal funds will not be used to supplant State or local funds, a proposal abstract, program narrative, project period, forensic testing capacity requirements and estimates, and resumes of key personnel. Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: The Federal share of grants made under this program shall not exceed 75 percent of the total cost of the project described in the application. Furthermore, grant funds shall not be used to pay for State or local personnel costs. Applicants, however, may include the cost of laboratory personnel directly associated with the project as a credit toward the 25 percent minimum State or local match requirement. Please note that the minimum match requirement is 25 percent of total projects costs, not 25 percent of the Federal share.

16.565 National Institute of Justice Domestic Anti-Terrorism Technology Development Program

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Section 201, as amended; Anti-Drug Abuse Act of 1988, Public Law 100-690. Anti-Terrorism and Effective Death Penalty Act of 1996, Public Law 104-132, Section 821.

OBJECTIVE: To support the development of counter terrorism technologies, assist in the development of standards for those technologies, and work with state and local jurisdictions to identify particular areas of vulnerability to terrorist acts and be better prepared to respond if such acts occur.

USES AND USE RESTRICTIONS: NIJ sponsors solicitations for the development of counter terrorism technologies for State and local law enforcement through its collaborations with various technology partners. Applicants may obtain information about solicitation opportunities, deadlines, and projects currently being funded through accessing the Institute's Justice Technology Information Network (JUSTNET) web site at http://www.nlectc.org or by calling Wendy Howe in the Institute's Office of Science and Technology at (202) 616-9794.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: The National Institute of Justice (NIJ) is authorized to make grants to, or enter into contracts or cooperative agreements with State and local governments, private nonprofit organizations, public nonprofit organizations, profit organizations, nonprofit organizations, institutions of higher education, and qualified individuals. Applicants from the Territories of the United States and federally recognized Indian Tribal Governments are also eligible to participate in this program.

BENEFICIARY ELIGIBILITY: State and local governments, private nonprofit organizations, public nonprofit organizations, profit organizations, nonprofit organizations, institutions of higher education, and qualified individuals.

CREDENTIALS/DOCUMENTATION: The applicant must furnish, along with the application for a grant, cooperative agreement or contract, resumes of principal investigator and key personnel, details of the budget composition, goals, impact, methods, evaluation, schedule and resources of the project. Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments and OMB Circular No. A-21 for educational institutions.

FORMULA AND MATCHING REQUIREMENTS: There are no matching requirements.

BUREAU OF JUSTICE ASSISTANCE

16.571 Public Safety Officers' Benefits Program

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3796.

OBJECTIVES: To provide a $151,635 death benefit to the eligible survivors of Federal, State or local public safety officers whose death is the direct and proximate result of a personal (traumatic) injury sustained in the line of duty. Beginning on October 1, 1988, and on each October 1st thereafter, the benefit is adjusted by the percentage of change in the Consumer Price Index during the previous year. Effective November 29, 1990, the Act also provides the same benefit to a public safety officer who has been permanently and totally disabled as the direct result of a

catastrophic personal injury sustained in the line of duty. The injury must permanently prevent the officer from performing any gainful work.

USES AND USE RESTRICTIONS: To provide a $151,635 death benefit to the eligible survivors of Federal, State or local public safety officers, or a $151,635 disability benefit to the Federal, State or local public safety officer, whose permanent and total disability is the direct and proximate result of a catastrophic personal injury sustained in the line of duty. There are no restrictions as to how the monies are spent once they reach the recipient with the exception that monies paid on behalf of minor children must be used for their care and benefit.

FORMULA AND MATCHING REQUIREMENTS: None.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Public safety officers—A public safety officer is a person serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, firefighter or member of a public rescue squad or ambulance crew. Law enforcement officers include but are not limited to police, corrections, probation, parole and judicial officers. Volunteer firefighters and members of volunteer rescue squads and ambulance crews are covered if they are officially recognized or designated members of legally organized volunteer fire, rescue or ambulance departments. Disabled public safety officers and eligible survivors of deceased public safety officers in the District of Columbia, Puerto Rico, Guam, Virgin Islands, American Samoa, the Pacific Trust Territories and the Northern Mariana Islands are also entitled to benefits under the Act. Death benefit coverage for:

(1) State and local law enforcement officers and firefighters applies to deaths occurring on or after September 29, 1976;

(2) Federal law enforcement officers and firefighters applies to deaths occurring on or after October 12, 1984; and

(3) Federal, State and local rescue squad and ambulance crew members applies to death occurring on or after October 15, 1986. Disability benefit coverage for Federal, State and local law enforcement officers, firefighters and members of public rescue squads and ambulance crews applies to injuries sustained on or after November 29, 1990.

BENEFICIARY ELIGIBILITY: The spouse and children of the public safety officer are eligible survivors. The parents of the public safety officer become eligible if the public safety officer is not survived by a spouse or children. Children include any natural, out of wedlock, adopted or posthumous child, or stepchild who is 18 years old or younger. Children over 18 may be eligible if they are full-time students or incapable of self-support.

CREDENTIALS/DOCUMENTATION: Claim forms entitled “Claim for Death Benefits” and “Report of Public Safety Officers’ Death” or “Report of Public Safety Officer’s Permanent and Total Disability,” and supporting family, medical and investigative documentation. This program is excluded from coverage under OMB Circular No. A-87.

16.577 Emergency Federal Law Enforcement Assistance

AUTHORIZATION: Justice Assistance Act of 1984,Title II, Chapter VI, Public Law 98-473, 98 Stat. 1837, Section 609, October 12, 1984.

OBJECTIVES: To provide necessary assistance to a State government in order to provide an adequate response to an uncommon situation which requires law enforcement, which is or threatens to become of serious or epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens, or to enforce the criminal law.

USES AND USE RESTRICTIONS: Funds are made available to assist State and/or local units of government which are experiencing law enforcement emergencies, to respond to those emergencies through the provision of Federal law enforcement assistance.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: All States and the District of Columbia, Puerto Rico, Virgin Islands, Guam, American Samoa, Trust Territory of the Pacific Islands and the Northern Mariana Islands.

BENEFICIARY ELIGIBILITY: States (on behalf of itself or a local unit of government).

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: None.

16.578 Federal Surplus Property Transfer Program

AUTHORIZATION: The 1998 Justice Appropriations Act, Pub. L. 105-119, 111 Stat. 2440 (1997), 40 USC §494 (p) (1) (A), (B) (I) (i).

OBJECTIVES: To transfer or convey to State and local governments and territories, at no cost, surplus real and related personal property determined by the Attorney General to be required for correctional facility or law enforcement use for programs or projects for the care or rehabilitation of criminal offenders, as approved by the Attorney General. Law enforcement knowledge, skills, and abilities will be enhanced to address law enforcement needs within the jurisdiction.

USES AND USE RESTRICTIONS: Assistance is strictly for correctional and law enforcement purposes only.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, the

Commonwealth of the Northern Mariana Islands, or any political subdivision or instrumentality, thereof.

BENEFICIARY ELIGIBILITY: State, local and territorial governments that care for or rehabilitate criminal offenders.

CREDENTIALS/DOCUMENTATION: None.

FORMULA AND MATCHING REQUIREMENTS: None.

16.579 Byrne Formula Grant Program

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Public law 90-351, §501 et seq., codified as amended at 42 USC 3750 et seq.

OBJECTIVES: To reduce and prevent illegal drug activity, crime, and violence and to improve the functioning of the criminal justice system.

USES AND USE RESTRICTIONS: Funds may be used to provide additional personnel, equipment, facilities (including upgraded and additional Law Enforcement Crime Laboratories), personnel training and equipment for more widespread apprehension, prosecution and adjudication of persons who violate State and local laws relating to the production, possession and transfer of Controlled Substances and to improve the Criminal Justice System. Outlined in the Act are other specific purposes for which funds can be used. The Act restricts the use of these funds for supplanting State and local funds and land acquisition, and construction other than penal or correctional facilities.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: All States, the District of Columbia, Guam, American Samoa, the Commonwealths of Puerto Rico, Virgin Islands and Northern Mariana Islands.

BENEFICIARY ELIGIBILITY: State and units of local governments.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: Each participant State will receive a base amount of $500,000 or .25 percent of the amount available for the program, whichever is greater, with the remaining funds allocated to each State on the basis of the State's relative share of total U.S. population. If a State elects not to participate, all funds may be awarded directly to local units of government and combinations of units of local governments within the State.

(a) Funds from the Act may be used to pay up to 75 percent of the cost of a program or project. The remaining non-federal share will be provided in cash. Match for the formula grant programs will be provided for on a project-by-project basis, state-wide basis, unit-

of-government basis, or a combination of the above. Requests will be contained in the application.

(b) Funds distributed to an Indian tribe which performs law enforcement functions (as determined by the Secretary of the Interior) for any program or project described in the Act shall be 100 percent of such costs.

16.580 Edward Byrne Memorial State and Local Law Enforcement Assistance Discretionary Grants Program (Discretionary Drug and Criminal Justice Assistance Program)

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as amended, Title I; codified as amended at 42 USC 3760-3766b.

OBJECTIVES: To provide leadership and direction in controlling the use and availability of illegal drugs and to improve the functioning of the criminal justice system, with emphasis on violent crime and serious offenders. Programs for FY 2000 demonstrate innovative, comprehensive, and integrated multi-agency approaches to violent crime control and community mobilization programs.

USES AND USE RESTRICTIONS: Discretionary Grant funds provide Federal financial assistance to public or private agencies and private nonprofit organizations for the purposes of undertaking education and training programs for criminal justice personnel; providing technical assistance to State and local units of government; undertaking projects that are national or multi-jurisdictional in scope and that address the purpose areas authorized by the Act; and providing financial assistance to public agencies and private nonprofit organizations for demonstration programs that in view of previous research or experience, are likely to be a success in more that one jurisdiction. The Act prohibits the use of these funds for supplanting of State and local funds, land acquisition or construction projects.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: State and local government agencies as well as public and private nonprofit organizations and federally recognized Indian Tribal governments are eligible to apply for and receive funds under this program.

BENEFICIARY ELIGIBILITY: State and local governments, public and private organizations and Indian Tribal governments.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: Grants may be made for amounts up to 100 percent of the costs of the programs or projects contained in the approved applications.

16.592 Local Law Enforcement Block Grants Program

AUTHORIZATION: FY 2001 Appropriations Act, Public Law 106-553.

OBJECTIVES: To provide funds to units of local government for the purposes of reducing crime and improving public safety. Funds may be used for one or more of seven program purpose areas. (See Uses and Use Restrictions). Funds or a portion of funds allocated under this title may also be used to contract with private, nonprofit entities or community-based organizations to carry out the purposes of this Block Grants Program. BJA will also make awards to States based on the allocation formula specified in the legislation.

USES AND USE RESTRICTIONS: Funds may be used for one or more of the following purpose areas:

(1) law enforcement support for hiring, training, and employing on a continuing basis new, additional law enforcement officers and necessary support personnel; paying overtime to presently employed law enforcement officers and necessary support personnel; and procuring equipment, technology, and other material directly related to basic law enforcement functions;

(2) enhancing security measures in and around schools, and in and around any other facility or location that the unit of local government considers a special risk for incidents of crime;

(3) establishing or supporting drug courts;

(4) enhancing the adjudication of cases involving violent offenders, including cases involving violent juvenile offenders. For the purposes of this program, violent offender means a person charged with committing a Part I violent crime under the Uniform Crime Reports;

(5) establishing a multi-jurisdictional task force, particularly in rural areas, composed of law enforcement officials representing units of local government; this task force will work with Federal law enforcement officials to prevent and control crime;

(6) establishing crime prevention programs involving cooperation between community residents and law enforcement personnel to control, detect, or investigate crime or the prosecution of criminals; and

(7) defraying the cost of indemnification insurance for law enforcement officers.

Units of local government may not expend funds provided under the Block Grants Program to purchase, lease, rent, or acquire any of the following: tanks or armored vehicles; fixed-wing aircraft; limousines; real estate; yachts; consultants; and vehicles not primarily used for law enforcement. In addition, Federal funds cannot be used to supplant State or local funds, but instead to increase the amount of funds that would be available otherwise from State and local sources.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Funding under this program is available to units of local government within a State. A unit of local government is a town or township, village, city, or county or recognized governing body of an Indian tribe or Alaskan Native village that carries out substantial governmental duties and powers. Each unit of local government must report Uniform Crime Report (UCR) data so as to determine amounts of allocation. These data must reflect Part I violent crimes, which are murder, aggravated assault, rape, and robbery, that have been committed in each eligible jurisdiction.

Data reported and vetted by the FBI for the three previous years will be averaged and used to compute allocations. The amount of the award is proportionate to each local jurisdiction's average annual amount of Part I violent crimes compared to that for all other local jurisdictions in the State. Further, for the purposes of this Block Grants Program the Commonwealth of Puerto Rico shall be considered a unit of local government as well as a State. In addition, each State will receive a minimum award of 0.25 percent of the total amount available for formula distribution under the Block Grants Program.

BENEFICIARY ELIGIBILITY: States, units of local government, and U.S. Territories.

CREDENTIALS/DOCUMENTATION: Applications for funding under the Block Grants Program must also be submitted to the State Administrative Agency and the State Single Point of Contact for review and comment at the time of application submission to BJA. Each State and unit of local government applicant, by completing the grant application, and by accepting a Block Grants award, agrees to certify:

(1) that a trust fund to deposit all Federal payments received under the Block Grants Program has been established;

(2) that prior to the obligation of any funds received under the Block Grants Program, an advisory board that includes representatives of groups with recognized interest in criminal justice and crime or substance abuse prevention and treatment has been formed. The advisory board must review the application for funding under the Block Grants Program and it must be authorized to make non-binding recommendations to the unit of local government for the use of funds received under this program;

(3) that at least one public hearing has been held regarding the proposed use of Block Grants funds prior to the obligation of any funds received;

(4) that the funds required to pay the nonfederal portion of the cost of each program will be made available for expenditure during the grant period. This certification is made by including the total match amount on the application form and providing a certification;

(5) that Block Grant funds and any interest deriving therefrom within 24 months of the date of the initial payment are obligated and expended. Any funds and interest that remain unobligated and unexpended at the end of the 24 months from the date of initial payment shall be returned to BJA within 27 months of the initial payment;

(6) that they will comply with nondiscrimination requirements contained in various Federal laws. If funded, grantees must acknowledge that failure to submit an acceptable Equal

Employment Opportunity Plan approved by the Office for Civil Rights is a violation of its certified assurances and may result in the suspension of funding obligation authority;

(7) that persons employed by the recipient are eligible to work in the United States;

(8) that funds awarded will not be used to supplant State and/or local funds that would otherwise be available for crime prevention and public safety;

(9) that they will provide such accounting, auditing, monitoring and evaluation procedures as may be necessary, and keep such records as the Office of Justice Programs may prescribe, to assure fiscal control, proper management and efficient disbursement of Federal funds;

(10) that priority will be given to members of the Armed Forces who were separated or retired involuntarily due to the reductions in the Department of Defense in the employment of persons as additional law enforcement officers or support personnel;

(11) that they have a law in place which ensures that public safety officers who retire due to a disability sustained in the line of duty receive the same or better health insurance benefits as such officers received while on active duty. Failure to provide such health benefits will result in the jurisdiction forfeiting 10 percent of their award;

(12) that they will submit financial and progress reports concerning the activities carried out with the Federal funds received and will maintain and report such data and information as required;

(13) that they will adhere to the audit and financial management requirements set forth in the Single Audit Act of 1984 and OMB Circular No.A-128, “Audits of State and Local Governments;”

(14) that the information in the application is correct and that they will comply with all applicable provisions of the Omnibus Fiscal Year 1996 Appropriations Act and other Federal laws, regulations, and circulars. Costs will be determined in accordance with OMB Circular No. A-87 for State and local governments; and

(15) that they will comply with requirements under 28 CFR Part 69,¡§New Restrictions on Lobbying,” and 28 CFR Part 67,¡§Government-Wide Debarment and Suspension (Nonprocurement) and Government-Wide Requirements for Drug-Free Workplace (Grants).”

FORMULA AND MATCHING REQUIREMENTS: The Federal funds provided under a grant for the Block Grants Program may not exceed 90 percent of the total costs of a program. The applicant’s matching share must be in the form of cash. The amount of the required match can be computed by calculating one-ninth of the Federal portion of program costs. For example, if $90,000 of Federal funds is requested, this amount multiplied by 1/9th requires a local entity to match it with $10,000. The Federal amount ($90,000) plus the match ($10,000) should be combined to equal the total program proposal cost. The matching requirement is only applicable to the amount of the Federal award, not any interest or income derived therefrom. The applicant must certify as part of its application that the funds required to pay the non-federal portion of the cost of each program will be made available for expenditure during the grant period. This

certification is made by including the total match amount on the application form and signing the certified assurances document. Regardless of the source of match, it must be expended during the period of the Block Grant. All grantees must maintain records that clearly show the source, the amount, and the timing of all matching contributions. There is no waiver provision for the match. Allowable sources of the match include funds from the following:

(1) States and local units of government;

(2) Housing and Community Development Act of 1974;

(3) Appalachian Regional Development Act;

(4) Equitable Sharing Program (Federal asset forfeiture distributions to State and local officials); and

(5) private funds.

16.597 Motor Vehicle Theft Protection Act Program (Watch Your Car)

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994,Title XXII, Public Law 103-322, 42 USC 14171 et seq.

OBJECTIVES: The Motor Vehicle Theft Prevention Act of 1994 (MVTPA) authorizes the Attorney General to develop, in cooperation with the States, a national voluntary motor vehicle theft prevention program. The national "Watch Your Car" program is designed as a cooperative initiative between the States, local governments, and the U.S. Department of Justice, Bureau of Justice Assistance (BJA). It allows owners of motor vehicles to voluntarily display a decal or device on their vehicles to alert police that their vehicle is not normally driven between the hours of 1:00 a.m. and 5:00 a.m. Motorists may also choose to display another decal or device to signify their vehicle is not normally driven across or in the proximity of international land borders or ports.

USES AND USE RESTRICTIONS: Federal grant funds may be used for the printing or purchase and distribution of decals, registration and consent forms, public information materials and awareness campaigns, auto glass etching, training programs for law enforcement personnel, registration campaigns, equipment such as audio/visual aids and exhibits, administrative costs, upgrading of computer databases, additional personnel, travel expenses, and overtime for Watch Your Car activities. No funds shall be used for land acquisition nor may funds be used to supplant State or local funds that would otherwise be made available for such purposes.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: A State may apply on behalf of itself and its respective units of local government. If a State's chief motor vehicle theft prevention activities are currently administered by a local agency rather than a State agency, then the local agency may apply on behalf of itself and the other local jurisdictions. Applications are submitted by the point of contact

of the State or unit of local government, in writing, and in accordance with established BJA application guidelines.

BENEFICIARY ELIGIBILITY: Eligible beneficiaries include State agencies, county and municipal police departments, crime prevention organizations, and the general public.

CREDENTIALS/DOCUMENTATION: Applicants should submit the original copy of the Standard Form 424, signed by the project point of contact to the Director of the Bureau of Justice Assistance, U.S. Department of Justice, 810 Seventh Street, N.W., Washington, DC 20531. Applicants should submit a complete line item budget and accompanying detailed budget narrative that explains all costs for which Watch Your Car funding is requested and provides sufficient information to document how costs were derived. Finally, applicants should develop an implementation plan to identify the steps they will take to implement the program along with a schedule for the completion of each step.

FORMULA AND MATCHING REQUIREMENTS: Grants will be made for amounts up to 100 percent of the costs of the program or projects contained in the approved application. There is no cash match required of grant recipients.

16.598 State Identification Systems (SIS) Grant Program

AUTHORIZATION: Anti-Terrorism and Effective Death Penalty Act of 1996, Public Law 104-132 Section 811(c)(3).

OBJECTIVES: Provides Federal assistance to States to establish, develop, update, or upgrade:

(1) computerized identification systems that are compatible and integrated with the database of the National Crime Information Center (NCIC) at the FBI;

(2) the capability to analyze deoxyribonucleic acid (DNA) in a forensic laboratory in ways that are compatible with the combined DNA Identification Systems (CODIS) of the FBI; and

(3) automated fingerprint identification systems that are compatible and integrated with the Integrated Automation Fingerprint Identification System (IAFIS) of the FBI.

USES AND USE RESTRICTIONS: In general, expenditures for this grant program may include equipment, supplies, training, contractor-provided services to address backlog or program implementation issues, State and local personnel expenses, and other expenses deemed reasonable and necessary for a qualifying project. The Federal share of funds may cover 100% of the total cost of the project described in the application. States may use grant funds in conjunction with local government agencies or other States in any combination. States receiving funding under the SIS grant program however, are not required to pass through funding to local agencies. Additionally, a State may enter into a compact(s) with another State(s) to carry out the grants.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: To be eligible to receive a grant under this program, a State shall require that each person convicted of a felony of a sexual nature provide to appropriate State law enforcement officials, as designated by the chief executive officer of the State, a sample of blood, saliva, or other specimen necessary to conduct a DNA analysis consistent with the standards established for DNA testing by the FBI Director. The Governor designates a State agency to administer these funds. The designated State agency will be responsible for submitting the State's application, selecting sub-recipients to receive funds, disbursing funds, and performing other administrative functions.

For purposes of the SIS grant program, the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands. For purposes of the allocations made under the SIS grant program, American Samoa and the Commonwealth of the Northern Mariana Islands shall be considered as one State and for these purposes, 67 percent of the amount allocated shall be allocated to American Samoa and 33 percent to the Commonwealth of the Northern Mariana Islands. Any grant funds which cannot be awarded this fiscal year will be carried forward to the next fiscal year and added to the amount appropriated by Congress for the grant program.

BENEFICIARY ELIGIBILITY: States, units of local government, and U.S. Territories.

CREDENTIALS/DOCUMENTATION: Cost will be determined in accordance with OMB Circular No.A-87 for State and local governments.

MATCHING REQUIREMENTS: The Federal share of funds for the SIS grant program may cover 100% of the total cost of the project described in the application.

16.606 State Criminal Alien Assistance Program (SCAAP)

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994, Title II, Subtitle C, Section 20110, 20301, Public Law 103-322, as amended, codified at 8 USC 1231 (i) and 42 USC 13710.

OBJECTIVES: The State Criminal Alien Assistance Program (SCAAP) provides Federal assistance to States and units of local government incurring costs of incarcerating illegal aliens convicted of one felony or two misdemeanor offenses and to expedite the transfer of custody for certain deportable aliens.

USES AND USE RESTRICTIONS: There are no restrictions on or prescribed use of funds. Funds are based on information regarding alien prisoner population. Funds need not be used for correctional purposes or even criminal justice purposes, but may revert to the State or county general fund. This is governed by State law or is at the option of the chief executive officer of the applicant jurisdiction. All that BJA requires is the expeditious drawdown of the payment funds, retention of records for the required audit period (3 years), and information necessary to allow the orderly closeout of the payment, if requested by the grantor agency.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands and localities or local jurisdictions exercising authority with respect to the incarceration of an undocumented criminal alien. This would cover State prison facilities (including those housing juveniles convicted as adults of felony offenses or two or more misdemeanors) and local jails, whether operated by counties or cities. Applicants are generally State Department of Corrections and local sheriffs or city jail administrators, pursuant to designation authority to receive the payment from the chief executive officer of the political entity, e.g., Governor, County Executive, Mayor or City Manager. Note: Only one application is accepted from each separate political division (i.e., State, county, city).

BENEFICIARY ELIGIBILITY: States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands and localities or local jurisdictions.

CREDENTIALS/DOCUMENTATION: Applicants who are seeking funding must complete an electronic application form via the Office of Justice Programs Grant Management System (GMS). Inmate data, including the proper inmate identifiers, will either be manually key-stroked into the on-line application system, or submitted on-line by electronically attaching the applicable portions of their inmate databases. The authorized official certifies compliance with all SCAAP requirements, including that: the applicant has been designated by the Chief Executive Officer of the applicable unit of government to be the recipient of the federal payment; the inmate identifiers required have been submitted to BJA in the proper format(s) for Immigration and Naturalization Services (INS) verification within the prescribed deadlines; all inmates counted by the applicant have been convicted of either a felony or two misdemeanor offenses under the applicant's law; and, only salary costs for corrections officers were included in the calculations underlying the average inmate cost per year figures. By certifying on-line, the authorizing signing official is also assuring that all federal certifications and assurances are being met. The certification and assurance forms (Assurances, OJP Form 4000/3 and Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements, OJP Form 4061/6) are provided on-line to allow applicants to review and accept them electronically. If there are lobbying activities to disclose, applicants should request the Disclosure Form to Report Lobbying, Standard Form - LLL from the U.S. Department of Justice Response Center at 1-(800)-421-677; this form would then need to be filled out and returned to BJA in hardcopy.

MATCHING REQUIREMENTS: This program has no statutory formula. Payments are based on the verified number of aliens incarcerated by each applicant and cost considerations which are used to determine relative percentage of total funding each applicant is eligible to receive.

16.607 The Bulletproof Vest Partnership Program

AUTHORIZATION: The Bulletproof Vest Partnership Grant Act of 1998, 42 USC 3796ll et seq of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

OBJECTIVES: To protect the lives of law enforcement officers by helping State, local, and tribal law enforcement agencies provide officers with armored vests.

USES AND USE RESTRICTIONS: The program pays up to 50 percent of the total cost of each vest order. Total cost includes the cost of the vests, vest carriers, attachments, inserts, and covers considered integral or essential for its proper care, use, and wearability, shipping, handling, fitting charges, and applicable taxes. The total invoiced price, after all vendor and prompt payment discounts have been deducted, is what the Bureau of Justice Assistance (BJA) uses to determine the Federal match. This program only allows the purchase of body armor that has been tested and found to comply with the National Institute of Justice's (NIJ) Standard 0101.03 Ballistic Resistance of Police Body Armor. Beginning in FY 2000, it will also allow for the purchase of stab-resistant body armor, as the applicable NIJ standard is adopted and approved. Vest models are listed on the official BJA vest web site, http://vests.ojp.gov.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Only chief executives of jurisdictions (or their designees) may apply for funds. Jurisdictions are defined as general purpose units of local government (e.g., cities, towns, townships, boroughs, counties, etc.), Federally-recognized Indian tribes, the 50 State governments, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands. The chief executive of the jurisdiction registers on-line, submits the jurisdiction application, and requests payment for completed vest orders.

BENEFICIARY ELIGIBILITY: Only law enforcement officers may receive vests through this program. According to the Act, "law enforcement officer" means any officer, agent, or employee of a State, unit of local government, or an Indian tribe authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders. Eligible officers may be full-time, part-time, paid or volunteer.

CREDENTIALS/DOCUMENTATION: Eligible jurisdictions must be general purpose units of local government, Federally-recognized Indian tribes, the 50 State governments, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands. The validity of the on-line registration process is verified through independent reviews which may include certification by the banking institutions serving the jurisdiction, the U.S. Census Bureau, and agencies within the U.S. Department of Justice.

FORMULA AND MATCHING REQUIREMENTS: The program requires that each applicant jurisdiction be responsible for providing at least 50 percent of the cost of each vest purchased. Tribal governments may use federal funds to provide this match; all other jurisdictions must use non-federal match funds. Non-federal fund sources include state and/or local jurisdiction revenues, private or personal funds, and contributions from insurance or workman's compensation consortiums. Asset forfeiture funds may also be used to meet the jurisdiction's matching requirement.

16.608 Tribal Court Assistance Program

AUTHORIZATION: FY 2001 Appropriations Act, Public Law 106-553.

OBJECTIVES: To assist tribal governments in the development, enhancement, and continuing operation of tribal judicial systems, including inter-tribal court systems.

USES AND USE RESTRICTIONS: These funds will be made available to Federally recognized Indian Tribal governments for the development, enhancement, and continuing operation of tribal courts. The Act prohibits the use of these funds for supplanting of State and local funds, land acquisition or construction projects.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Federally recognized Indian Tribal governments are eligible to apply for and receive funds under this program.

BENEFICIARY ELIGIBILITY: Indian Tribal governments.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments.

FORMULA AND MATCHING REQUIREMENTS: Grant may be made for amounts up to 100 per centum of the costs of the program or projects contained in the approved applications.

16.609 Planning, Implementing, and Enhancing Strategies in Community Prosecution

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, as amended, Title I; 42 USC 50 et. seq.; Crime Control Act of 1990, Public Law 101-647, FY 2001 Appropriations Act, Public Law 106-553.

OBJECTIVES: The Community Prosecution Program emphasizes the participation of community leaders and residents in developing strategies for public safety with prosecutors and other community justice system officials. The program serves as a mechanism for community participation that allows communities to identify local priorities and engage in problem solving and strategic planning, as well as regular communication between the prosecutor’s office and community residents. In addition, the program helps develop a proactive orientation to crime control, emphasizing prevention and enforcement.

USES AND USE RESTRICTIONS: Discretionary Grant funds provide Federal financial assistance to public or private agencies and private, nonprofit organizations for the purposes of: undertaking education and training programs for criminal justice personnel; providing technical assistance to State and local units of government; undertaking projects that are national or multi-jurisdictional in scope and that address the purpose areas authorized by the Act; and providing financial assistance to public agencies and private nonprofit organizations for demonstration programs that in view of previous research or experience, are likely to be a success in more that one jurisdiction. The Act prohibits the use of these funds for supplanting of State and local funds, land acquisition or construction projects.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: State, county, city, and tribal public prosecutor offices are eligible to apply for and receive funds under this program.

BENEFICIARY ELIGIBILITY: State and local governments, public and private organizations, Indian Tribal government, community organizations, and the general public.

CREDENTIALS/DOCUMENTATION: Eligible applicants must provide a budget submission.

FORMULA AND MATCHING REQUIREMENTS: Grants may be made for amounts up to 100 per centum of the costs of the programs or projects contained in the approved applications.

16.610 Regional Information Sharing Systems Grants (RISS)

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351; 42 USC 3796h.

OBJECTIVES: To enhance the ability of the State and local criminal justice agencies to identify, target, and remove criminal conspiracies and activities that span jurisdictional boundaries. The first objective of the Regional Information Sharing Systems Program (RISS) is to encourage and facilitate the rapid exchange and sharing of information among Federal, State, and local law enforcement agencies pertaining to known or suspected criminals or criminal activity. The second objective is to enhance coordination and communication among agencies that are in pursuit of criminal conspiracies determined to be inter-jurisdictional in nature. In addition, the RISS Program may provide technical and financial resources, such as specialized equipment, training, and investigative funds, to augment existing multi-jurisdictional enforcement resources and operations.

USES AND USE RESTRICTIONS: Up to 100 percent of total project grant costs are funded through Federal assistance. Cost-sharing is governed by Appropriation Act requirements. However, projects are encouraged to obtain and utilize additional funds through voluntary contributions, membership fees or dues, fees for service, or other sources from member agencies or governmental units benefiting from project services. Such funds will be considered program income and must be used to augment project operations or to reduce the Federal share of project costs.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Six RISS projects are authorized as eligible to receive funding to provide services to law enforcement agencies throughout the nation. The projects are: The Middle Atlantic Great-Lakes Organized Crime Law Enforcement Center (MAGLOCLEN), the Mid-States Organized Crime Information Center (MOCIC), the New England State Police Information Network (NESPIN), the Regional Organized Crime Information Center (ROCIC), the Rocky Mountain Information Network (RMIN), and the Western States Information Network (WSIN).

BENEFICIARY ELIGIBILITY: State and local criminal justice agencies; Federal, State, and local law enforcement agencies and personnel benefit from this program.

CREDENTIALS/DOCUMENTATION: The six RISS projects are required to submit a Federal application for assistance, as well as a detailed program and budget narrative.

FORMULA AND MATCHING REQUIREMENTS: Projects are awarded 100 percent of the project costs and no match is required.

16.611 Closed-Circuit Televising of Child Victims of Abuse (CCTV)

AUTHORIZATION: Victims of Child Abuse Act, Public Law 90-351, as amended, 42 USC 3796aa, et. seq.

OBJECTIVES: To provide equipment and personnel training for the closed-circuit televising and videotaping of the testimony of children in criminal proceedings for the violation of laws relating to the abuse of children.

USES AND USE RESTRICTIONS: Up to 75 percent of total project grant costs may be funded through Federal assistance.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Limited competition—a State or local unit of government that has in effect a law allowing the closed-circuit televising or video taping of testimony of children in criminal proceedings relating to the abuse of children.

BENEFICIARY ELIGIBILITY: State and local criminal justice agencies; Federal, State, and local law enforcement agencies and personnel; public non-profit organizations, and youth benefit from this program.

CREDENTIALS/DOCUMENTATION: Eligible States and units of local government.

FORMULA AND MATCHING REQUIREMENTS: Projects are awarded 75 percent of the project costs. A 25 percent match is required.

16.612 National White Collar Crime Center (NWCCC)

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as amended; 42 USC 3760.

OBJECTIVES: To provide a nationwide support system for the prevention, investigation, and prosecution of economic crime. The National White Collar Crime Center (NWCCC) links criminal justice agencies across jurisdictional borders and bridges the gap between local and State criminal justice agency economic crime-fighting capabilities and the minimum threshold for Federal investigation and intervention. The Center provides support for the prevention, investigation, and prosecution of economic crime through a combination of research, training, and investigative support services. The center also hosts the National Cybercrime Training

partnership, which provides training to State and Local law enforcement and prosecutorial agencies in how to respond successfully to computer related crime.

USES AND USE RESTRICTIONS: Up to 100 percent of total project grant costs are funded through Federal assistance. Cost-sharing is governed by Appropriation Act requirements. However, the project is encouraged to obtain and utilize additional funds, through voluntary contributions, membership fees or dues, fees for service, or other sources, from member agencies or governmental units benefiting from project services. Such funds will be considered program income and must be used to augment project operations or to reduce the Federal share of project costs.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: State and local law enforcement authorities.

BENEFICIARY ELIGIBILITY: State and local criminal justice agencies; Federal, State, and local law enforcement agencies, as well as regulatory agencies benefit from this program.

CREDENTIALS/DOCUMENTATION: The NWCCC is required to submit a Federal application for assistance, as well as a detailed program and budget narrative.

FORMULA AND MATCHING REQUIREMENTS: Project is awarded 100 percent of the project costs and no match is required.

16.613 Scams Targeting the Elderly

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322; Section 250005 (3).

OBJECTIVES: To reduce the incidence of fraud and abuse against the elderly through training and technical assistance programs, demonstration sites, public awareness initiatives, and reporting of fraud to the National Fraud Information Center.

USES AND USE RESTRICTIONS: This discretionary grant program is intended to assist law enforcement in preventing and stopping marketing scams against senior citizens. Funding will support training and technical assistance, including a telemarketing fraud task force; State and local demonstration programs; and public awareness initiatives and assistance through the National Fraud Information Center.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: State and local law enforcement agencies, as well as public and private nonprofit organizations.

BENEFICIARY ELIGIBILITY: State and local criminal justice agencies; Federal, State, and local law enforcement agencies and personnel; public nonprofit organizations; and the elderly benefit from this program.

CREDENTIALS/DOCUMENTATION: Applicants are required to submit a Federal application for assistance, as well as a detailed program and budget narrative.

FORMULA AND MATCHING REQUIREMENTS: Projects are awarded 100 percent of the project costs and no match is required.

16.614 State and Local Anti-Terrorism Training (SLATT)

AUTHORIZATION: Anti-Terrorism and Effective Death Penalty Act of 1996, Section 822, Public Law 104-132; 42 USC 3760, 3751, (b)(26).

OBJECTIVES: To provide delivery of specialized, multi-agency anti-terrorism preparedness training. This training, along with related research, law enforcement intelligence, operational issues development, and technical assistance support activities, is delivered to State and local law enforcement and prosecution authorities. While State and local law enforcement preparation and readiness issues addressed in this project are tailored to interventions in domestic terrorism, major portions of the program's preparedness and operational readiness outcomes are equally applicable to any terrorist threat or incident, whether domestically or internationally inspired.

USES AND USE RESTRICTIONS: Grant program funds are intended to:

(1) provide State and local law enforcement (including prosecution authorities) a general awareness and working knowledge of domestic terrorist and "political" extremist movements;

(2) disseminate information relating to vital elements of law enforcement anti-terrorism preparedness and readiness;

(3) provide a general planning orientation to State and local law enforcement pertaining to crisis and consequence management and incident command, including essential elements requisite to conducting criminal investigations and prosecutions of terrorist threats and incidents; and

(4) maintain and enhance a domestic terrorism public source database. Standard restrictions as outlined in OJP's Financial Guide apply.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: State and local law enforcement and prosecution authorities.

BENEFICIARY ELIGIBILITY: State and local criminal justice agencies are the primary beneficiaries of this program.

CREDENTIALS/DOCUMENTATION: The Institute for Intergovernmental Research is required to submit an application for assistance, as well as a detailed program and budget narrative.

FORMULA AND MATCHING REQUIREMENTS: The project is awarded at 100 percent of project costs; no match is required.

16.615 Public Safety Officers' Educational Assistance (PSOEA)

AUTHORIZATION: Educational Assistance to Dependents of Civilian Federal Law Enforcement Officers Killed or Disabled in the Line of Duty, 42 USC 3796d.

OBJECTIVES: The PSOEA Program, an expansion of the Federal Law Enforcement Dependents Assistance (FLEDA) Program, provides financial assistance for higher education to the spouses and children of public safety officers killed in line of duty or who received permanent and totally disabling injuries that occurred on or after October 1, 1997. The PSOEA Act makes program benefits available retroactively to families of Public Safety officers killed in the line of duty on or after January 1, 1978. The effective date for families of permanently and totally disabled Public Safety officers is October 3, 1996.

USES AND USE RESTRICTIONS: Program funds are intended solely to defray eligible applicants' educational expenses, which may include tuition, room and board, books, supplies, and fees consistent with the educational, professional or vocational objectives of the applicant. Funds are restricted to defray above costs only. A certification of educational use is required.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Dependents who: 1) attend a program of education at an eligible institution; or 2) are the spouse and/or surviving children under the age of 27 of Federal, State and local public safety officers, whose deaths or permanent and totally disabling injuries are covered by the Public Safety Officers' Benefits (PSOB) Program (42 USC 3796 et seq.) are eligible for this program. A public safety officer is a person serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, firefighter or member of a public rescue squad or ambulance crew.

BENEFICIARY ELIGIBILITY: The spouse and surviving children under the age of 27 of Federal, State and local public safety officers receive the ultimate benefits from this program.

CREDENTIALS/DOCUMENTATION: Documentation needed to apply for assistance includes: the Application for Public Safety Officer's Educational Assistance (42 USC 3796 d); educational transcripts; acceptance letters to educational/professional institutions; schedule of classes; verification of full or part-time status; and certification of other forms of educational assistance. Contact the PSOB office at 1-888-SIGNL13 (744-6513) for full credential/documentation requirements.

FORMULA AND MATCHING REQUIREMENTS: Not applicable.

OFFICE FOR VICTIMS OF CRIME

16.321 Antiterrorism and Emergency Assistance Program

AUTHORIZATION: Victims of Crime Act of 1984 (VOCA), 42 U.S.C. 10601,10603b.

OBJECTIVES: Funding available through the Antiterrorism and Emergency Reserve of the Crime Victims Fund (Victims of Crime Act, 42 U.S.C. 10601(d)(5)(A)) is designed to provide timely relief and to help respond to immediate and ongoing challenges in providing victim assistance services in the aftermath of cases of terrorism or mass violence. Section 42 U.S.C. 10603b of VOCA outlines the specific authority of the Office for Victims of Crime (OVC) to provide compensation and assistance to victims of acts of terrorism or mass violence within the United States and assistance to victims of terrorism and mass violence outside the United States. Section 10603c of VOCA establishes the related program to provide compensation payments to victims of international terrorism.

USES AND USE RESTRICTIONS: This program is designed to supplement the available resources and services of entities responding to acts of terrorism or mass violence. Thus, Emergency Reserve support may be granted if needed services cannot be adequately provided with existing resources, or if the provision of services and assistance will result in an undue financial hardship on the jurisdiction's ability to respond to other victims of crime.

In cases of terrorism or mass violence occurring within the United States, 42 U.S.C. 10603b(b) authorizes the Director of OVC ("the Director") to provide funding to eligible State crime victim compensation and assistance programs, as well as victim service organizations, public agencies (including Federal, State, or local governments) and non-governmental organizations, for emergency relief to benefit victims, including crisis response efforts, assistance, training and technical assistance, and ongoing assistance, including during any investigation or prosecution, to victims of terrorist acts or mass violence. This section also allows supplemental OVC grants for purposes of compensation payments for terrorism or mass violence occurring within the United States.

In cases of terrorism or mass violence occurring outside the United States, 42 U.S.C. 10603b(a) authorizes the Director to make grants to States, victim service organizations, and public agencies (including Federal, State, and local governments) and non-governmental organizations that provide assistance to victims of crime, for emergency relief, including crisis response efforts, assistance, training and technical assistance, and ongoing assistance, including during any investigation or prosecution, to victims of terrorist acts or mass violence occurring outside the United States.

ELIGIBILITY REQUIREMENTS**:** Applicants eligible for funding include State victim assistance and victim compensation programs, public agencies including Federal, State, and local governments, and victim service and non-governmental organizations. In cases within the United States, applications will be accepted only from the jurisdiction in which the crime occurred unless a statute establishes a special authorization and appropriation supporting allocations to other jurisdictions, or a compelling justification can be provided to the OVC Director supporting requests from other jurisdictions.

In cases abroad, eligible recipients of compensation or assistance benefits include (1) victims who are nationals of the United States or officers or employees of the U.S. government, who are killed or injured as a result of a terrorist act or mass violence occurring outside the United States; and (2) in the case of a person who is under the age of 18, incompetent, incapacitated, or deceased, a family member or legal guardian of that person. Only terrorist actions occurring after December 21, 1988, for which there is an ongoing investigation or prosecution as of April 24, 1996, are eligible for coverage.

In no event shall an individual who is criminally culpable for the terrorist act of mass violence receive any assistance under this program, either directly or on behalf of a victim.

16.575 Crime Victim Assistance

AUTHORIZATION: Victims of Crime Act of 1984 (VOCA), Section 1402; 1404, 42 U.S.C. 10601; 10603.

OBJECTIVES: Up to $20,000,000 of the initial fund deposits shall be available for grants under Section 1404A. Of the remaining amount deposited in the fund in a particular year, 47.5 percent shall be available for Crime Victim Assistance Formula Grants under 1404 (a).

Under Section 1404B, the OVC Director may make supplemental grants to state victim services organizations, public agencies, and non-governmental organizations for providing assistance including emergency relief, crisis response efforts, assistance, training, and technical assistance to U.S. Nationals, who are victims of a terrorist act or mass violence occurring within the U.S.

Under 1404C, the OVC Director may provide compensation to US Nationals, or employees of the U.S. government who are victims of international terrorism occurring outside the United States.

Under Section 1402 the Director of OVC may retain funds in an Antiterrorism emergency reserve fund up to $50,000 million.

USES AND USE RESTRICTIONS: Funds under this program shall be used by states and territories to provide direct services to crime victims with the following exception: states may retain up to 5 percent of their grant for administrative purposes including training. A victim assistance program is an eligible crime victim assistance program under VOCA if it:

(1) is operated by a public agency or a nonprofit organization, or a combination of such agencies or organizations or of both such agencies and organizations, and provides services to victims of crime;

(2) demonstrates a record of providing effective services to victims of crime or substantial financial support from nonfederal sources;

(3) utilizes volunteers in providing such services, unless and to the extent the chief executive determines that compelling reasons exist to waive this requirement;

(4) promotes within the community, coordinated public and private efforts to aid crime victims;

(5) assists potential recipients in seeking crime victim compensation benefits; and

(6) does not discriminate against victims because they disagree with the way a state prosecutes a case.

An eligible crime victim assistance program shall expend sums received under subsection (a) only for providing direct services to victims of crime. The chief executive of each state shall (A) certify that priority shall be given to eligible crime victim assistance programs providing assistance to victims of sexual assault, spousal abuse, or child abuse, and to programs serving previously underserved victims of violent crime, as determined by the state, (B) certify that funds awarded to eligible crime victim assistance programs will not be used to supplant state and local funds otherwise available for crime victim assistance; and (C) provide such other information and assurances related to the purposes of this section as the Director may reasonably require.

DEFINITIONS: as used in this program, (1) the term “state” includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and any other territory or possession of the United States; (2) the term “services to victims of crime” includes (a) crisis intervention services to provide emotional support in cases arising from the occurrence of crime; (b) providing, in an emergency, transportation to court, short-term child care services, and temporary housing and security measures; (c) assistance in participating in criminal justice proceedings; and (d) payment of all reasonable costs for a forensic medical examination of sexual assault victims, to the extent that such costs are otherwise not reimbursed or paid; and (3) the term “chief executive” includes a person designated by the governor to perform the functions of the chief executive under this section.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Any State, the District of Columbia, and any other territory or possession of the United States are eligible. Funds may be subgranted to eligible public and nonprofit organizations or combinations of such agencies or organizations or of both such agencies and organizations that provide direct services to victims of crime.

BENEFICIARY ELIGIBILITY: Any member of the general public who has been a victim of a violent crime or those who are survivors of victims of crime.

CREDENTIALS/DOCUMENTATION: Applications from the designated state agency for this program must be submitted on Standard Form 424 at a time specified by the Office for Victims of Crime, Office of Justice Programs. The state grant applicant, by completing the grant application, and by receiving a VOCA victim assistance grant award, certifies:

(1) that funds awarded to eligible crime victim assistance programs will not be utilized to supplant State and/or local funds that would otherwise be available for crime victim assistance;

(2) that the state will provide such accounting, auditing, monitoring and evaluation procedures as may be necessary, and keep such records as the Office of Justice Programs may prescribe, to assure fiscal control, proper management and efficient disbursement of federal funds;

(3) that the state shall give priority to programs aiding victims of sexual assault, spousal abuse, or child abuse, and to programs serving previously underserved victims of violent crimes as determined by the state;

(4) that the state will submit to the Office of Justice Programs Subgrant Award Reports and Performance Reports concerning the activities carried out with the federal funds received and will maintain and report such data and information as required;

(5) that the state will adhere to the audit and financial management requirements set forth in the OJP Financial Guide;

(6) that the state will comply with all applicable federal and VOCA nondiscrimination requirements; and

(7) that the information in the application is correct and that the State will comply with all applicable provisions of the Victims of Crime Act and other federal laws, regulations, and circulars. Costs will be determined in accordance with OMB Circular No. A-87 for state and local governments.

FORMULA AND MATCHING REQUIREMENTS: All States and most Territories receive an annual VOCA victim assistance grant. Each state, the District of Columbia, the U.S. Virgin Islands, and Puerto Rico receive a base amount of $500,000. The territories of the Northern Mariana Islands, Guam, and American Samoa, and the Republic of Palau each receive a base amount of $200,000. Additional funds are distributed based on populations. That portion of the then remaining funds will be divided among all states or territories according to population (U.S. Census Bureau). If the amount available for grants under this program is insufficient to provide $500,000 to each state, the base amount available shall be distributed equally among the States and territories.

16.576 Crime Victim Compensation

AUTHORIZATION: Victims of Crime Act of 1984 (VOCA), Sections 1402; 1403, 42 U.S.C. 10601; 10602.

OBJECTIVES: Up to $20,000,000 of the initial fund deposits shall be available for grants under Section 1404A. Of the remaining amount deposited into the fund in a particular fiscal year, 47.5 percent shall be available for grants under Section 1403 Crime Victim Compensation Formula Grants.

USES AND USE RESTRICTIONS: Funds under this program shall be used by the states for awards of compensation benefits to crime victims, with the following exception: States may retain up to 5 percent of their total grant for administrative purposes. A crime victim compensation program is an eligible-crime-victim-compensation program if:

(1) such program is operated by a state and offers compensation to victims and survivors of victims of criminal violence, including drunk driving and domestic violence for: (A) medical expenses attributable to a physical injury resulting from a compensable crime, including expenses for mental health counseling and care; (B) loss of wages attributable to a physical injury resulting from a compensable crime; and (C) funeral expenses attributable to a death resulting from a compensable crime;

(2) such program promotes victim cooperation with the reasonable requests of law enforcement authorities;

(3) such state, possession or territory certifies that grants received under this program will not be used to supplant funds otherwise available to provide crime victim compensation;

(4) such program, as to compensable crimes occurring within the state, possession or territory, makes compensation awards to victims who are nonresidents of the state, possession or territory on the basis of the same criteria used to make awards to victims who are residents of the state, possession or territory;

(5) such program provides compensation to victims of federal crimes occurring within the state on the same basis that such program provides compensation to victims of state crimes;

(6) such program provides compensation to residents of the state who are victims of crimes occurring outside the state if (A) the crimes would be compensable crimes had they occurred inside the state and (B) the places the crimes occurred are in states not having eligible crime victim compensation programs;

(7) such program does not, except pursuant to rules issued by the program to prevent unjust enrichment of the offender, deny compensation to any victim because of that victim's familial relationship to the offender, or because of the sharing of a residence by the victim and the offender;

(8) such program does not provide compensation to any person who has been convicted of an offense under federal law with respect to any time period during which the person is delinquent in paying a fine, other monetary penalty, or restitution imposed for the offense; and

(9) such program provides other information and assurances related to the purposes of this section as the Director may reasonably require.

DEFINITIONS: As used in this section—(1) the term "property damage" does not include damage to prosthetic devices, eyeglasses or other corrective lenses, or dental devices; (2) the term "medical expenses" includes, to the extent provided under the eligible crime victim compensation program, expenses for eyeglasses and other corrective lenses, for dental services and devices and prosthetic devices, and for services rendered in accordance with a method of healing recognized by the law of the State; and (3) the term "compensable crime" means a crime the victims of which are eligible for compensation under the eligible crime victim compensation program, and include driving while intoxicated and domestic violence.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, and any other possession or territory of the United States who have an established eligible crime victim compensation program, and who meet the eligibility requirements discussed above.

BENEFICIARY ELIGIBILITY: Victims of crime that results in death or physical or personal injury and are determined eligible under the State victim compensation statute. State compensation statutes either declare that coverage extends generally to any crime resulting in physical or personal injury, or they list all specific crimes that can be covered.

FORMULA AND MATCHING REQUIREMENTS: As provided in VOCA, formula grant awards to an eligible state crime victim compensation program are based on 60 percent of the amounts states expended during the fiscal year preceding the year of collections for the Crime Victims Fund, other than amounts awarded for property damage. If the sums available in the Fund for grants under this program are insufficient to provide grants of 60 percent as provided above, grants from the sums available will be made to each eligible crime victim compensation program so that all such programs receive the same percentage of the amounts awarded by such programs during the preceding fiscal year, other than amounts awarded for property damage.

16.582 Crime Victim Assistance/Discretionary Grants

AUTHORIZATION: Victims of Crime Act of 1984, Section 1402; 1404, 42 U.S.C. 10601, 10603

OBJECTIVES: The Office for Victims of Crime administers a discretionary grant program and other assistance programs for crime victims with amounts set-aside from deposits into the Crime Victims Fund grants for:

(1) demonstration projects, program evaluation, compliance efforts, and training and technical assistance services to eligible crime victims assistance programs;

(2) the financial support of services to victims of Federal crime by eligible crime victim assistance programs; and

(3) the financial support of fellowships or clinical internships.

The purpose of the demonstration and training and technical assistance grants is to improve the overall quality of services delivered to crime victims through the provision of training and technical assistance to providers. Funds are also available to improve the Federal and state responses to victims of Federal crime. Of the amount available for training and technical assistance and services to victims of Federal crimes, not less than 50 percent shall be used for demonstration programs, program evaluation, compliance efforts, and technical assistance, and not more than 50 percent for services to victims of Federal crimes.

USES AND USE RESTRICTIONS: Funds are specifically for:

(1) demonstration projects, program evaluation, compliance efforts, and training and technical assistance services to eligible crime victims assistance programs;

(2) the financial support of services to victims of Federal crime by eligible crime victim assistance programs; and

(3) the financial support of individual fellowships or clinical internships which may be created by the Director.

For the purpose of the grants authorized in 42 U.S.C. 10603, an eligible crime victim association program is defined as: (a) operated by a public agency or a nonprofit organization, or a combination of such agencies and organizations, and providing service to victims of crime; (b) demonstrating (i) a record of providing effective services to victims of crime and financial support from sources other than the Fund; or (ii) substantial financial support from sources other than the Fund; (c) utilizing volunteers in providing such services, unless to the extent the chief executive determines that compelling reasons exist to waive this requirement; (d) promoting within the community served coordinated public and private efforts to the crime victims; and (e) assisting potential recipients in seeking crime compensation benefits. For purpose of grants authorized for assistance to victims of Federal crime, services includes (a) training of law enforcement personnel in the delivery of services to victims of Federal crime; (b) preparation, publication, and distribution of informational materials setting forth services offered to victims of crime; and concerning services for victims of Federal crime for use by Federal law enforcement and other responsible Federal officials; and (c) salaries of personnel who provide services to victims of crime, to the extent that these personnel provide such services.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Criteria will vary depending on the grant. Generally, eligible applicants may include American Indian/Alaska Native Tribes and tribal organizations, states, United States Attorneys' offices, eligible victim service agencies, private nonprofit agencies, and Federal training centers. Applicants for Victim Assistance in Indian Country grants must be an Indian Tribe, a Tribal organization, a partnership or a non-profit organization that provides direct services to victims of crime in areas of Indian Country that are under Federal criminal justice jurisdiction. Individuals are eligible to apply for fellowships or clinical internships.

BENEFICIARY ELIGIBILITY: These are discretionary grants. Eligibility depends on the specific nature of the grant but may include a wide variety of public and private nonprofit agencies.

CREDENTIALS/DOCUMENTATION: Applications for this program must be on Standard Form 424 at a time specified by the Office for Victims of Crime, Office of Justice Programs and must contain at a minimum such information as OJP/OVC chooses to request. This includes, but is not limited to:

(1) OJP Form 4061/6 (Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements);

(2) OJP Standard Assurances Forms; and

(3) Certifications that the information in the application is correct and that the applicant will comply with all applicable provisions of the Victims of Crime Act and other Federal laws, (including subtitle A, Title II of the Americans with Disabilities Act (ADA) of 1990) regulations, and circulars.

Costs will be determined in accordance with OMB Circular No.A-21;A-87; or A-122 depending upon the type of organization that applies for funding.

FORMULA AND MATCHING REQUIREMENTS: There are no formula or matching requirements, except for Victim Assistance in Indian Country discretionary grants which have a 10 percent "in kind" match requirement.

16.583 Children's Justice Act Discretionary Grants for Native Americans (Children's Justice Act Partnership for Native American Indian Tribes)

AUTHORIZATION: Victims of Crime Act of 1984 (VOCA), Section 1402, 42 U.S.C. 10601(g)(1)

OBJECTIVES: Fifteen percent of the funds from the Crime Victims Fund that are transferred pursuant to 42 U.S.C. 10603a to the Department of Health and Human Services as part of the Children's Justice Act are statutorily reserved by the Office for Victims of Crime (OVC) to make grants for the purpose of assisting Native American Indian tribes in developing, establishing, and operating programs designed to improve the handling of child abuse cases, particularly cases of child sexual abuse, in a manner which limits additional trauma to the child victim and improves the investigation and prosecution of cases of child abuse.

USES AND USE RESTRICTIONS: Funds are available specifically for the purpose of assisting Indian tribes in developing, establishing, and operating programs designed to improve (a) the handling of child abuse cases, particularly cases of child sexual abuse, in a manner which limits additional trauma to the victim and (b) the investigation and prosecution of cases of child abuse, particularly child sexual abuse.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Federally recognized Indian tribal governments and nonprofit Indian organizations that provide services to Native Americans. Specific criteria will vary depending on the grant.

BENEFICIARY ELIGIBILITY: Native American youth who are victims of child abuse and/or child sexual abuse.

CREDENTIALS/DOCUMENTATION: Applications must be on Standard Form 424 at a time specified by the Office for Victims of Crime, Office of Justice Programs and must contain such information as OJP/OVC chooses to request. This includes but is not limited to:

(1) OJP Form 4061/6 (Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements);

(2) OJP Standard Assurances; and

(3) Certifications that the information in the application is correct and that the Grantee will comply with all applicable provisions of the Victims of Crime Act and other Federal laws, regulations, and circulars, including Subtitle A, Title II of the Americans With Disabilities Act (ADA) of 1990.

FORMULA AND MATCHING REQUIREMENTS: In-kind match required as follows: 10 percent year 1; 15 percent year 2; 25 percent year 3.

CIVIL RIGHTS DIVISION

16.108 Americans With Disabilities Act (ADA) Technical Assistance Program

AUTHORIZATION: Americans with Disabilities Act, Public Law 101-336, Section 506.

OBJECTIVES: To ensure that public accommodations and commercial facilities and State and local governments learn of the requirements of Titles II and III of the Americans with Disabilities Act (ADA) and acquire the knowledge needed to comply with these requirements.

USES AND USE RESTRICTIONS: Grants limited to the provision of technical assistance and educational activities that have a wide impact, including the development and dissemination of materials, the conduct of seminars, conferences, and training, and the provision of technical assistance on a state, regional or national basis depending on the funding priorities announced each year. Because the grant program is educational in nature, the Department does not fund projects to research or resolve issues that are outside the scope of the Department's current ADA regulation and court interpretations. The program is not intended to fund or support site-specific compliance implementation (e.g., funding to make specific facilities more accessible), or to fund or support inspections, reviews, or tests to determine whether an entity is meeting its compliance obligations.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Nonprofit organizations, including trade and professional associations or their subsidiaries, organizations representing State and local governments or their employees, other organizations representing entities covered by the ADA, State and local governments agencies, national and State-based organizations representing persons with disabilities, and individuals.

BENEFICIARY ELIGIBILITY: The target audiences of funded grants will include State and local governments, businesses and nonprofit organizations that operate public accommodations and commercial facilities, and individuals with disabilities.

CREDENTIALS/DOCUMENTATION: Not applicable.

MATCHING REQUIREMENTS: Not applicable.

16.110 Education and Enforcement of the Antidiscrimination Provision of the Immigration and Nationality Act (INA)

AUTHORIZATION: Immigration and Nationality Act, 8 USC 1324(b).

OBJECTIVES: To educate employers and workers about their rights and responsibilities under the Immigration and Nationality Act (INA) in order to prevent employment discrimination based on citizenship status or national origin.

USES AND USE RESTRICTIONS: The anti-discrimination provision of the INA prohibits employment discrimination on the basis of national origin and citizenship status against U.S. Citizens and other legally authorized workers. The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) was established to ensure that these individuals are not discriminated against with respect to hiring, firing or recruiting or referral for a fee based on their citizenship status or national origin. INA's prohibition against citizenship status discrimination covers:

(1) U.S. citizens and nationals;

(2) legal permanent residents;

(3) temporary residents under IRCA's legalization program, Special Agricultural Worker program (SAW) or Replenishment Agricultural Worker program (RAW);

(4) refugees; and

(5) asylees.

The INA also makes it illegal for employers with four to 14 employees to discriminate, with respect to hiring, firing, recruitment or referral for a fee, against any individual on the basis of his or her national origin. Employers with 15 or more employees are covered under Title VII of the Civil Rights Act of 1964. Please note that for national origin charges, OSC has jurisdiction over employers with between four and 14 employees. National origin charges against employers with 15 or more employees come under the jurisdiction of the Equal Employment Opportunity Commission (EEOC), which enforces Title VII of the Civil Rights Act of 1964. There may be exceptions to this general rule, so charges incorrectly filed with OSC are automatically referred to the EEOC and vice versa. All charges of citizenship status discrimination against employers with four or more employees should be filed with OSC.

In addition, under the document abuse provision of the law, employers must accept all forms of work authorization and proof of identity allowed by the Immigration and Naturalization Service (INS) for completion of the Employment Eligibility Verification (I-9) Form and that on their face appear genuine. Employers may not prefer or require one form of documentation over another for

hiring purposes. Employers may not, with the intent to discriminate, require more or different documents than required. The goal of the grant program is to educate workers and employers about the antidiscrimination provisions outlined above in order to reduce the incidents of employment discrimination through nonprofit, private groups and state and local governments and, if applicable, their sub-grantees.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Private, nonprofit institutions/ organizations, state and local government entities, local, regional or national ethnic and immigrants' rights organizations, trade associations, industry groups, professional organizations or other nonprofit entities providing information and/or services to potential victims of discrimination and/or employers.

BENEFICIARY ELIGIBILITY: Small businesses, agricultural producers, immigrant assistance groups—the largest communities of which are Latino and Asian Pacific American—contractors, industries, workers and employers.

CREDENTIALS/DOCUMENTATION: Not applicable.

FORMULA AND MATCHING REQUIREMENTS: This program has no statutory formula or matching requirements.

DRUG COURTS PROGRAM OFFICE

16.585 Drug Court Discretionary Grant Program (Drug Court Program)

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994,Title V, Public Law 103-322, 108 Stat. 1796, 42 USC 3796ii et. seq. -3796ii-8; Omnibus Crime Control and Safe Streets Act of 1968.

OBJECTIVES: To support the establishment and development of drug courts. The FY 2001 Drug Court Grant Program is responsive to, and supportive of, developments in the field. As a result, the Drug Courts Program Office (DCPO) announces the availability of implementation and enhancement grants. Implementation grants are available for up to $500,000 for up to 3 years. There are separate categories this year for communities applying to implement an adult drug court and a juvenile drug court. Enhancement grants are available for up to $300,000 for up to 2 years. There are separate categories for single drug court enhancement and statewide enhancements. Lastly, DCPO has a special interest in encouraging communities to develop drug courts that give special attention to alcohol problems in addition to drugs, for example, driving under the influence (DUI) or driving while intoxicated (DWI) drug courts.

USES AND USE RESTRICTIONS: Allowable uses of funds are outlined in the Drug Courts Program Guideline available from the Department of Justice Response Center. Drug Court Programs under Title V will be for nonviolent adult and juvenile offenders, and involve early and

continuous judicial supervision over the nonviolent substance abusing offenders and the integrated administration of sanctions and services including:

(1) mandatory periodic testing for the use of controlled substances or other addictive substances during any period of supervised release or probation;

(2) substance abuse treatment for each participant;

(3) diversion, probation, or other supervised release involving the possibility of prosecution, confinement, or incarceration based on noncompliance with program requirements; and

(4) programmatic, offender management and aftercare services.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Grants can be given to States, State courts, local courts, units of local government and Indian tribal governments, acting directly or through agreements with other public or private entities. Applicants may choose to submit joint applications with other eligible jurisdictions for statewide, regional, and multi- jurisdictional drug court programs. With joint applications, one organization must be designated as the applicant and any co-applicants designated accordingly. The applicant organization must be eligible and the other agencies/organizations must provide supporting documentation. All applicants must demonstrate that they have the management and financial capabilities to effectively plan and implement projects of the size and scope described in the application kit. Nonprofit and for-profit agencies are not eligible applicants. For an application from a subunit of government (e.g., county probation department, district attorney's office, pretrial services agency) to be considered, it must be designated by letter as representing an eligible applicant (described above). For example, the county court or county executive may designate the county probation or county district attorney's office as its representative for the purpose of application. In this instance, the applicant continues to be the designating State, court system, or unit of local government. The county probation, district attorney's office, or other designated subunit, is the organization authorized to submit an application on behalf of the eligible applicant.

BENEFICIARY ELIGIBILITY: States, local governments, Indian tribal governments, public or private entities.

CREDENTIALS/DOCUMENTATION: The application must include: Application for Federal Assistance (Standard Form 424); Applicant Information page; a one-page program abstract summarizing the goals and objectives of the grant request; program narrative; letters of support; detailed budget and budget narrative; administrative requirements; and assurances and certifications. See program announcement for more information.

MATCHING REQUIREMENTS: The Federal share of a grant received under this subtitle may not exceed 75 percent of the total cost of an applicant's projected budget. The matching requirement is a 25 percent match provided by the applicant. A portion of the match must be cash. This is required by statute; the term "portion" is not defined.

CORRECTIONS PROGRAM OFFICE

16.586 Violent Offender Incarceration and Truth in Sentencing Incentive Grants (Prison Grants)

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994,Title II, Subtitle A, as amended, Public Law 104-134, 20101-20112; 42 USC 13701 et. seq.

OBJECTIVES: To provide funds to individual States and to States organized as regional compacts to build or expand:

(1) correctional facilities to increase the bed capacity for the confinement of Part 1 violent offenders;

(2) temporary or permanent correctional facilities including facilities on military bases, prison barges and boot camps for the confinement of nonviolent offenders for the purpose of freeing prison space for violent offenders; and

(3) jails.

USES AND USE RESTRICTIONS: Grant funds may be used to build or expand permanent or temporary correctional facilities to increase bed space for the confinement of adult and juvenile violent offenders. Up to 15% of a State's formula grant may be awarded to counties and other units of local government to construct, develop, expand, modify or improve jails and other correctional facilities. Under exigent circumstances, funds may be used to increase capacity for the confinement of nonviolent juvenile offenders. Beginning with fiscal year 1999 grant funds, ten percent of the award may be used to implement drug testing policies that meet the Attorney General's Guidelines.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: States and States organized in multi-State compacts are eligible to apply. State means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands. Local units of government must apply directly to their States for grant funds.

BENEFICIARY ELIGIBILITY: State and local correctional agencies.

CREDENTIALS/DOCUMENTATION: The applicant must submit a completed Application for Federal Assistance (standard form 424), including signed assurances that it will comply with statutory and administrative requirements. Applicants must also demonstrate compliance with the statutory requirements for the three Tiers of the Violent Offender Incarceration Program and those for Truth In Sentencing to qualify for funding from each allocation. States must also demonstrate an ability to operate facilities built with these funds, recognize the rights of crime victims, and have implemented a program of drug testing and intervention for offenders under corrections supervision.

FORMULA AND MATCHING REQUIREMENTS: The Federal share of a grant-funded project may not exceed 90 percent of the total costs of the project. The 10 percent matching funds must be in the form of a cash match.

16.593 Residential Substance Abuse Treatment for State Prisoners (RSAT)

AUTHORIZATION: Omnibus Crime Control and Safe Streets Act of 1968,Title I, Section 1001, as amended, Public Law 90-351, Public Law 103-322, §32101, 42 USC 3796ff, et seq.

OBJECTIVES: To assist States and units of local government in developing and implementing residential substance abuse treatment programs within State and local correctional facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment.

USES AND USE RESTRICTIONS: The Residential Substance Abuse Treatment formula grant funds may be used to implement residential substance abuse programs that provide individual and group treatment activities for offenders in residential facilities operated by State and local correctional agencies. These programs must:

(1) last between 6 and 12 months;

(2) be provided in residential treatment facilities set apart from the general correctional population;

(3) focus on the substance abuse problems of the inmate; and

(4) develop the inmate's cognitive, behavioral, social, vocational, and other skills to solve the substance abuse and related problems.

Grant funds shall not be used for land acquisition or construction projects.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands are eligible to apply. The State office may award subgrants to State agencies and units of local government. Applicant States must agree to implement or continue to require urinalysis and/or other proven reliable forms of drug and alcohol testing of individuals assigned to residential substance abuse treatment programs in correctional facilities.

BENEFICIARY ELIGIBILITY: State and local correctional agencies will implement programs to provide treatment to incarcerated offenders.

CREDENTIALS/DOCUMENTATION: The applicant must submit a completed Application for Federal Assistance (Standard Form 424), including signed assurances that it will comply with statutory and administrative requirements. The applicant is also required to submit a description

that includes the goals of the program, the implementation process, timetable for implementation, how the State will coordinate substance abuse treatment activities at the State and local levels, and the State's law or policy requiring substance abuse testing of individuals in correctional residential substance abuse treatment programs.

FORMULA AND MATCHING REQUIREMENTS: Grant funds are allocated to the States using the following formula:

(1) each participating State is allocated a base amount of 0.4 percent of the total funds available for the program; and

(2) the remaining funds are allocated to each participating State in the ratio its prison population bears to the total prison population of all participating States. The most recent National Prisoner Statistics collected by the Bureau of Justice Statistics will be used to make these allocations. The Federal share of a grant-funded project may not exceed 75 percent the total costs of the project. The 25 percent matching funds must be in the form of a cash match.

16.594 Prevention, Diagnosis, and Treatment of Tuberculosis in Correctional Institutions

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322, Title III, Subtitle V, Section 32201, as amended codified at 42 USC 13911.

OBJECTIVES: To assist States, units of local government, and Indian tribal authorities in establishing and operating programs for the prevention, diagnosis, treatment, and follow-up care of tuberculosis among inmates of correctional institutions.

USES AND USE RESTRICTIONS: The Tuberculosis Prevention, Diagnosis, and Treatment grant funds may be used to assist State, tribal, and local correctional and public health authorities in establishing and operating programs for the prevention, diagnosis, treatment, and follow-up care of tuberculosis (TB) among inmates of correctional institutions.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: States, Indian tribal authorities, and local correctional and public health authorities.

BENEFICIARY ELIGIBILITY: States, Indian tribal authorities, and local correctional and public health authorities are eligible to apply.

CREDENTIALS/DOCUMENTATION: The applicant must submit a completed Application for Federal Assistance (Standard Form 424), which shall include signed assurances that it will comply with statutory and administrative requirements. The applicant is also required to submit a description of the program, the implementation process, the timetable for implementation, and how the State will coordinate corrections and public health activities related to TB prevention, diagnosis and control at the State and local levels.

MATCHING REQUIREMENTS: The Federal share of a funded project may not exceed 50 percent of the total project costs.

16.596 Correctional Grant Program for Indian Tribes

AUTHORIZATION: Omnibus Consolidated Rescissions and Appropriations Act of 1996, Section 114, Public Law 104-134; Violent Crime Control and Law Enforcement Act of 1994, Title II, Subtitle A, Public Law 103-322, as amended, 42 USC 13709.

OBJECTIVES: To assist Indian tribes with the construction of jails on tribal lands for the incarceration of offenders subject to tribal jurisdiction.

USES AND USE RESTRICTIONS: The Grant Program for Indian Tribes may be used to assist Indian tribes in developing or expanding jail facilities for both adult and juvenile offenders.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Indian tribes may apply. An Indian tribe is defined as any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to Public Law 103-454, 108 Stat. 4791, and which performs law enforcement functions as determined by the Secretary of the Interior.

BENEFICIARY ELIGIBILITY: Indian tribes may apply. An Indian tribe is defined as any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to Public Law 103-454, 108 Stat. 4791, and which performs law enforcement functions as determined by the Secretary of the Interior.

CREDENTIALS/DOCUMENTATION: The applicant must submit a completed Application for Federal Assistance (Standard Form 424), including signed assurances that it will comply with statutory and administrative requirements. The applicant is also required to submit a description of the program, the implementation process, and a timetable for implementation.

FORMULA AND MATCHING REQUIREMENTS: The Federal share of a grant-funded program may not exceed 90 percent of the total costs of the project.

VIOLENCE AGAINST WOMEN OFFICE

16.524 Legal Assistance for Victims

AUTHORIZATION: Violence Against Women Act of 2000, Public Law 106-368, Section 1201, codified at 42 USC 3796gg-6.

OBJECTIVES: These grants are for increasing the availability of direct legal services to victims of domestic violence, sexual assault, and stalking in matters arising from the abuse or violence.

The goal is to develop innovative, collaborative programs within the legal system that promote victim safety.

USES AND USE RESTRICTIONS: The Legal Assistance for Victims Grant Program provides an opportunity for communities to enhance legal assistance for victims. Funds may be used:

(1) to implement, expand, and establish cooperative efforts and projects between domestic violence and sexual assault victim services organizations and legal assistance providers to provide legal assistance for victims of domestic violence, stalking, and sexual assault;

(2) to implement, expand, and establish efforts and projects to provide legal assistance for victims of domestic violence, stalking, and sexual assault by organizations with a demonstrated history of providing direct legal or advocacy services on behalf of these victims; and

(3) to provide training, technical assistance, and data collection to improve the capacity of grantees and other entities to offer legal assistance to victims of domestic violence, stalking, and sexual assault.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Eligible grantees for this program are private, nonprofit entities, Indian tribal governments, and publicly funded organizations not acting in their governmental capacity. Grantees must certify that any person providing legal assistance has completed or will complete training that was developed with a domestic violence or sexual assault coalition or program and that the grantee's policies do not require mediation or counseling of offenders and victims together.

BENEFICIARY ELIGIBILITY: Beneficiaries include public or private nonprofit entities providing legal assistance primarily to victims of domestic violence, sexual assault, and stalking.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments, and OMB Circular No. A-110 for Institutions of Higher Education, Hospitals and Other Nonprofit Organizations.

FORMULA AND MATCHING REQUIREMENTS: This is not a formula grant program. Grants will be made for amounts up to 100 percent of the costs of the project contained in the approved applications. Matching is not required for this grant program; however applicants are encouraged to maximize the impact of Federal grant dollars by contributing to the costs of their projects. Supplemental contributions may be cash, in-kind services, or a combination of both.

16.525 Grants to Reduce Violent Crimes Against Women on Campus

AUTHORIZATION: Title VIII, Part E, of the Higher Education Amendments of 1998, Public Law 105-244, as amended by the Violence Against Women Act of 2000, Public Law 106-386, codified at 20 USC 1152.

OBJECTIVES: To encourage institutions of higher education to adopt comprehensive, coordinated responses to violence against women, including sexual assault, stalking, dating and domestic violence. Funds are authorized to enhance the apprehension, investigation, and adjudication of persons committing violent crimes against women on campuses; train campus administrators, security personnel, and disciplinary or judicial boards to effectively identify and respond to violent crimes against women on campuses; implement and operate education programs for the prevention of violent crimes against women on campuses; develop, enlarge or strengthen support services for victims; create, disseminate, or otherwise provide assistance and information about victims' options on and off campus to bring disciplinary or other legal action; develop and implement more effective campus policies, protocols, orders, and services specifically devoted to prevent, identify, and respond to violent crimes against women on campuses; develop, install, or expand data collection and communication systems, including computerized systems, linking campus security to the local law enforcement for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions; develop, enlarge or strengthen victim service programs for the campus and to improve the delivery of victim services on campus, including assistance in immigration matters; provide capital improvements (including improved lighting and communication facilities but excluding construction of buildings) on campuses to address violent crimes against women; and to support improved coordination among campus administrators, campus security personnel, and local law enforcement to reduce violent crimes against women on campuses.

USES AND USE RESTRICTIONS: This discretionary grant program is intended to assist institutions of higher education to develop comprehensive, multi-disciplinary responses to domestic violence, dating violence, sexual assault, and stalking on campuses. An institution of higher education shall not be entitled to funds under this program unless it is in compliance with the campus crime reporting requirements set forth in 20 USC 1092 (f) as amended by Public Law 105-244, 112 Stat. 1581, Sec. 486 (e)(1998).

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Institutions of higher education as defined under the Higher Education Amendments of 1998 that are in compliance with the campus crime reporting requirements set forth in 20 USC 1092 (f) as amended by Public Law 105-244, 112 Stat. 1581, Sec. 486 (e) (1998). A consortium of institutions of higher education may also apply for these grants provided that each individual consortium member is also eligible to apply.

BENEFICIARY ELIGIBILITY: Institutions of higher education.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments, and OMB Circular No. A-110 for Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations.

FORMULA AND MATCHING REQUIREMENTS: Grants will be made for amounts up to 100 percent of the costs of the programs or projects contained in the approved applications. Matching is not required for this grant program; however, applicants are encouraged to maximize the impact of Federal grant dollars by contributing to the costs of their projects. Supplemental contributions may be cash, in-kind services, or a combination of both.

16.587 Violence Against Women Discretionary Grants for Indian Tribal Governments

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994; codified at Sections 2001-6, codified as amended at 42 USC 3796gg, et seq.; Violence Against Women Act of 2000, P.L. 106-386.

OBJECTIVES: To assist Indian tribal governments to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women.

USES AND USE RESTRICTIONS: This discretionary grant program is intended to complement and enhance the Law Enforcement and Prosecution Formula Grants to Reduce Violent Crimes Against Women. An Indian tribal government shall not be entitled to funds under this program unless it (or another governmental entity) incurs the full out of pocket costs of forensic medical examinations for victims of sexual assault. In addition, an Indian tribal government shall not be entitled to funds under this program unless it:

(1) certifies that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the tribal jurisdiction; or

(2) assures the Assistant Attorney General for the Office of Justice Programs that its laws, policies, and practices will be in compliance with these provisions by the date on which the next session of the tribal legislature ends or October 28, 2002. Grants shall provide personnel, training, technical assistance, data collection and other equipment for the most widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women. Applicant Indian tribal governments that have law enforcement authority must certify that at least 25 percent of the total grant award be allocated respectively to law enforcement and prosecution, at least 30 percent to nonprofit, non-governmental victim services programs, and at least 5 percent to tribal courts. Tribal governments that do not have law enforcement, prosecution or tribal courts are not required to allocate funds to these areas.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: OJP's Violence Against Women Office will accept applications for the STOP Violence Against Indian Women Discretionary Grant Program from current grantees and new Applicants for fiscal year 2001.

BENEFICIARY ELIGIBILITY: All Indian tribal governments are eligible to apply. The term Indian tribe means a tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation as defined in, or

established pursuant to, the Alaska Native Claims Settlement Act (43 USC 1601 et seq.), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular A-87 for State and local governments, and OMB Circular A-110 for Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations.

MATCHING REQUIREMENTS: A grant made to an Indian tribal government under this program may not exceed 75 percent of the total cost of the projects described in the application. Applicants should submit a budget which includes the source of the 25 percent matching funds. An Indian tribal government may satisfy this 25 percent match through in-kind services. Indian tribal governments may meet the 25 percent matching requirement for this program by using funds appropriated by Congress for the activities of any agency of an Indian tribal government or for the activities of the Bureau of Indian Affairs performing law enforcement functions on any Indian lands. All funds designated as match are restricted to the same uses as the Violence Against Women Program funds and must be expended within the grant period.

16.588 Formula Grants

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994; Omnibus

Crime Control and Safe Streets Act of 1968, as amended, Sections 2001-6, codified as amended at 42 USC 3796gg. et. seq. to gg5.

OBJECTIVES: To assist States, Indian tribal governments, tribal courts, State and local courts, and units of local government to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving crimes against women. The Program encourages the development and implementation of effective, victim-centered law enforcement, prosecution, and court strategies to address violent crimes against women and the development and enhancement of victim services in cases involving violent crimes against women.

USES AND USE RESTRICTIONS: A State, Indian tribal government, or unit of local government shall not be entitled to funds under this program unless the State, Indian tribal government, or another governmental entity incurs the full out-of-pocket cost of forensic medical examinations for victims of sexual assault. Further, a State shall not be entitled to funds under this program unless it:

(1) certifies that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the tribal jurisdiction; or

(2) assures the Assistant Attorney General for the Office of Justice Programs that its laws, policies, and practices will be in compliance with these provisions by the date on which the next session of the tribal legislature ends or October 28, 2002. Grants shall provide personnel, training, technical assistance, data collection and other equipment for the most widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women. States must allocate a minimum of 25 percent of each year's grant award to each of the following areas: prosecution and law enforcement. In addition, States must allocate a minimum of 30 percent to victim services, a minimum of 5 percent to courts, and 15 percent to discretionary within the statutory purpose areas.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: All States, Commonwealths, territories and possessions of the United States, as well as the District of Columbia, are eligible. Funds will be subgranted to units of local government, courts, nonprofit nongovernmental victim services programs, and Indian tribal governments.

BENEFICIARY ELIGIBILITY: State and local units of government, nonprofit nongovernmental victim services programs, courts, and Indian tribal governments.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments, and OMB Circular No. A-110 for Institutions of Higher Education, Hospitals and Other Nonprofit Organizations.

MATCHING REQUIREMENTS: The Federal share of these grants may not exceed 75 percent of the total costs of the projects described in the applications. States may satisfy this 25 percent match through in-kind services. Indian tribes that are subgrantees of a State under this program may meet the 25 percent matching requirement for this program by using funds appropriated by Congress for the activities of any agency of an Indian tribal government or for the activities of the Bureau of Indian Affair performing law enforcement functions on any Indian lands. All funds designated as match are restricted to the same uses as the Violence Against Women Program funds and must be expended within the grant period.

16.589 Rural Domestic Violence and Child Victimization Enforcement Grant Program

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994, Public Law103-322, Section 40295, 42 USC 13971; Omnibus Crime Control and Safe Streets Act of 1968, as amended by Public Law 106-386, §1105 (1), codified at 42 USC 13971.

OBJECTIVES: To implement, expand, and establish cooperative efforts and projects between law enforcement officers, prosecutors, victim advocacy groups, and other related parties to investigate and prosecute incidents of domestic violence, dating violence and child abuse; provide treatment, counseling and assistance to victims of domestic violence, dating violence and child victimization, including in immigration matters; and work in cooperation with the community to develop education and prevention strategies directed toward such issues.

USES AND USE RESTRICTIONS: Grants are available to States, Indian tribal governments, local governments of rural States, and other public or private entities of rural States. For the purposes of this grant program, a rural State is a State that has a population density of 52 or fewer persons per square mile or a State in which the largest county has fewer than 150,000 people, based on the decennial census of 1990 through fiscal year 1997. Nineteen States qualify as rural for the purposes of this grant program: Alaska, Arkansas, Arizona, Colorado, Idaho, Iowa, Kansas, Maine, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Vermont, and Wyoming.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: State agencies in rural States may apply for assistance for Statewide projects. Local units of government in rural States and public and private entities in rural States also may apply directly for assistance. Only State agencies in non-rural States may apply for funding assistance. These agencies may apply on behalf of one or more of their rural jurisdictions. Rural and/or non-rural States also may submit joint applications for projects that would be implemented in more than one State. Indian tribal governments may make individual applications or apply as a consortium. A tribal government also may apply for assistance on behalf of a non-tribal government organization. Proposals will be accepted from new applicants as well as from current grantees requesting continuation funds.

BENEFICIARY ELIGIBILITY: Beneficiaries include criminal and tribal justice practitioners and service providers who respond to victims of violent crimes committed against women in rural jurisdictions and Indian country, and rural and tribal communities in general.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments, and OMB Circular No. A-110 for Institutions of Higher Education, Hospitals and Other Nonprofit Organizations.

FORMULA AND MATCHING REQUIREMENTS: Grants will be made for amounts up to 100 percent of the costs of the programs or projects contained in the approved applications. Match is not required for this grant program; however, applicants are encouraged to maximize the impact of Federal grant dollars by contributing to the costs of their projects. Supplemental contributions may be cash, in-kind services, or a combination of both.

16.590 Grants to Encourage Arrest Policies and Enforcement of Protection Orders

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994, codified as amended at 42 USC 3796hh.; Omnibus Crime Control and Safe Streets Act of 1968, Section 40152, as amended, Violence Against Women Act of 2000, P.L. 106-386.

OBJECTIVES: To implement mandatory arrest or pro-arrest programs and policies in police departments, including mandatory arrest programs and policies for protection order violations, as part of a coordinated community response to domestic violence; to develop policies, educational programs, and training programs in police departments to improve tracking of cases involving

domestic violence and dating violence; to centralize and coordinate police enforcement, prosecution, probation, parole and/or judicial responsibility for domestic violence cases in groups or units of police officers, prosecutors, probation and parole officers, or judges; to coordinate computer tracking systems to ensure communication between police, prosecutors, parole and probation officers and both criminal and family courts; to strengthen legal advocacy service programs for victims of domestic violence and dating violence, including strengthening assistance to such victims in immigration matters; and to educate judges in criminal and other courts about domestic violence and to improve judicial handling of such cases; to provide technical assistance and computer and other equipment to police departments, prosecutors, courts, and tribal jurisdictions to facilitate the widespread enforcement of protection orders, including interstate enforcement, enforcement between States and tribal jurisdictions, and enforcement between tribal jurisdictions; to develop or strengthen policies and training for police, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence and sexual assault against older individuals and individuals with disabilities.

USES AND USE RESTRICTIONS: Grants are available to States, State and local courts, Indian tribal governments, and units of local governments to encourage them to treat domestic violence as a serious violation of criminal law.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Eligible grantees are States, Indian tribal governments, State or local courts, or units of local governments that:

(1) certify that their laws or official policies encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed, and encourage or mandate arrest of domestic violence offenders who violate the terms of a valid and outstanding protection order;

(2) demonstrate that their laws, policies, or practices and their training programs discourage dual arrest of the offender and the victim;

(3) certify that their laws, policies, or practices prohibit issuance of mutual restraining orders of protection except in cases where both spouses file a claim and the court makes detailed findings of fact indicating that both spouses acted primarily as aggressors and that neither spouse acted primarily in self-defense; and

(4) certify that their laws, policies, or practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal or local jurisdiction.

BENEFICIARY ELIGIBILITY: Beneficiaries include criminal and tribal justice practitioners, domestic violence victims advocates, and other service providers who respond to victims of domestic violence.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments, and OMB Circular No. A-110 for Institutions of Higher Education, Hospitals and Other Nonprofit Organizations.

MATCHING REQUIREMENTS: Grants will be made for amounts up to 100 percent of the costs of the programs or projects contained in the approved applications. Match is not required for this grant program; however, applicants are encouraged to maximize the impact of Federal dollars by contributing to the cost of the project. Supplemental contributions may be cash, in-kind services, or a combination of both.

16.591 Managing Released Sex Offenders

AUTHORIZATION: Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322, Section 40152, codified at 42 USC13941; Omnibus Crime Control and Safe Streets Act of 1968, as amended.

OBJECTIVES: To establish criteria and provide training and technical assistance on case management, supervision, and relapse prevention to assist probation and parole officers and other criminal justice practitioners who interact with released sex offenders.

USES AND USE RESTRICTIONS: One grant or cooperative agreement will be awarded to develop and deliver a national training and technical assistance program.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: An agency or organization with the capacity to develop and deliver a national training and technical assistance program that has been invited to submit an application.

BENEFICIARY ELIGIBILITY: Beneficiaries include probation and parole officers and other criminal justice practitioners who interact with released sex offenders.

CREDENTIALS/DOCUMENTATION: Costs will be determined in accordance with OMB Circular No.A-87 for State and local governments, and OMB Circular No. A-21 for Institutions of Higher Education, Hospitals and OMB Circular No. A-122 for Other Nonprofit Organizations.

MATCHING REQUIREMENTS: A grant will be made for up to 100 percent of the costs of the program or project contained in the approved application. Match is not required for this grant program; however, the applicant will be encouraged to maximize the impact of Federal dollars by contributing to the cost of the project. Supplemental contributions may be cash, in-kind services, or a combination of both.

EXECUTIVE OFFICE OF WEED AND SEED

16.595 Executive Office for Weed and Seed (Weed and Seed Program)

AUTHORIZATION: FY 2001 Appropriations Act, Public Law 106-553.

OBJECTIVES: The Program's objective is national implementation of Operation Weed and Seed. Operation Weed and Seed is a comprehensive, multi-disciplinary approach to combating violent crime, drug use, and gang activity in high crime neighborhoods. The goal is to "weed out" violence and drug activity in high crime neighborhoods, and then to "seed" the sites with a wide range of crime and drug prevention programs, human service resources, and neighborhood restoration activities to prevent crime from reoccurring. The strategy emphasizes the importance of a coordinated approach, bringing together Federal, State and local government, the community, and the private sector to form a partnership to create a safe, drug-free environment.

USES AND USE RESTRICTIONS: Weed and Seed funding is for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: The eligible applicant is a coalition of community residents, local, county, and State agencies, Federal agencies, and the private sector.

BENEFICIARY ELIGIBILITY: Eligibility criteria for selecting and funding Weed and Seed sites are as follows: high incidence of violent crime; existing, workable community infrastructure; cooperative governmental partnerships; good cooperation between governmental, private civic, and social service organizations; a cooperative business community; a strong U.S. Attorney Office; and a history of innovative programming at the local level. If a large city is being considered, the project site should be a clearly, easily identifiable section of the metropolitan area. The strategy also seeks to encompass available funding from reprogrammable Federal program dollars and existing private/local matching funds.

CREDENTIALS/DOCUMENTATION: An interested community should establish contact with the United States Attorney who convenes a formal steering committee. The steering committee, through the guidance and facilitation of the United States Attorney, produces an implementation plan along the lines set forth in the Weed and Seed Implementation Manual.

MATCHING REQUIREMENTS: While there is currently no specified level of matching funds, the nature of the program anticipates significant contributions from the public and private sectors of participating local communities.

OFFICE FOR DOMESTIC PREPAREDNESS

16.007 State Domestic Preparedness Equipment Support Program

AUTHORIZATION: Anti-Terrorism and Effective Death Penalty Act of 1996, Public Law 104-132, Section 819, 15 USC 2201 and 42 USC 3751 (b) (26) and FY 2001 Appropriations Act, Public Law 106-553.

OBJECTIVES: Funding will be provided to plan for and execute a comprehensive threat and needs assessment, to develop a 3-year plan to enhance first responder capabilities, and to provide for equipment purchases and the provision of specialized training.

USES AND RESTRICTIONS: The funds may be used to procure equipment subsequent to the findings that are developed in the statewide threat and needs assessment. Grant funds must be used to equip fire and emergency medical services, law enforcement agencies, and hazardous materials units to respond to a Weapons of Mass Destruction terrorist incident.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Applicants are the States.

BENEFICIARY ELIGIBILITY: State and local governments.

CREDENTIALS/DOCUMENTATION: The applicant must complete a grant application package and adhere to its requirements. The application must include: (1) Standard Form 424 which must be signed by the CEO of the applicant jurisdiction (county or city); (2) program narrative containing a problem statement regarding general threat and capability needs of their jurisdiction to respond to incidents of terrorism; (3) a description of any previous support the jurisdiction may have received from the Office of Justice Programs (OJP), U.S. Department of Defense (DOD), or the U.S. Department of Health and Human Services (HHS); (4) specific goals and objectives it would like to achieve through the equipment procurement project; (5) an implementation and evaluation plan; (6) a program management structure that will be used to oversee the administration of grant funds; and (7) Reporting Requirements. States must conduct a statewide threat and needs assessment prior to receiving grant funds. Additional funding will be provided to defer each State's cost associated with planning for and administering the State threat and needs assessment. Results of the needs assessment will prioritize equipment purchases and training and technical assistance requirement for each jurisdiction within the State. States will also provide a 3-year plan for fiscal year 1999, fiscal year 2000, and fiscal year 2001. These 3-year plans will identify goals, objectives, and milestones for equipment purchases and training. Equipment acquired under this grant program will be used in conjunction with the mutual aid agreements of the jurisdiction within the state, and to the extent possible, will demonstrate integration of the jurisdiction's equipment purchase plan (s) with the planning guidelines set forth in the State's Terrorism Consequence Management Plan for which the State may have received funding from the FEMA in FY 1999 to develop such a plan. The applicant must demonstrate coordination of planning for these equipment purchases with geographically contiguous jurisdictions, as well as with the response disciplines; e.g., fire, emergency medical services, hazardous materials units, and law enforcement, within the jurisdiction.

FORMULA AND MATCHING REQUIREMENTS: None

16.008 State and Local Domestic Preparedness Training Program

AUTHORIZATION: Anti-Terrorism and Effective Death Penalty Act of 1996 Public Law 104-132, Section 819, 42 USC 3751 (b) (26) and FY 2001 Appropriations Act, Public Law 106-553.

OBJECTIVES: To provide training to State and local jurisdictions to respond to Weapons of Mass Destruction (WMD) domestic terrorist incidents involving nuclear, biological, chemical, and explosive devices.

USES AND USE RESTRICTIONS: Grants may be used to develop and conduct training courses.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Eligible applicants are the Chief Executive Officers (CE0s) for the following four members of the National Domestic Preparedness Consortium; the Energetic Materials Research and Test Center, New Mexico Institute of Mining and Technology; Louisiana State University; the National Exercise, Test, and Training Center, Nevada Test Site, Department of Energy; and the National Emergency Response and Rescue Training Center, Texas Engineering Extension Service, Texas A&M University. Applicants may also be public or private nonprofit agencies or for-profit agencies providing or coordinating with programs, which will provide a full range of domestic preparedness services for first responders.

BENEFICIARY ELIGIBILITY: State and local units of government.

CREDENTIALS/DOCUMENTATION: The applicant must complete a grant application package and adhere to its requirements. The application must include: (1) Standard Form 424 which must be signed by the Chief Executive Officer (CEO) of the applicant institution/company or jurisdiction; (2) program narrative containing the program plan. This plan should detail all activities to be conducted during the fiscal year, including training courses which will be provided, the anticipated number of personnel to be trained in those courses, and all non-training activities which will be conducted; (3) course description; (4) course schedule; (5) equipment plan, if relevant; (6) project management structure; (7) Fiscal Year 2001 Program Budget; (8) Assurances; (9) Certifications; and (10) Reporting Requirements.

FORMULA AND MATCHING REQUIREMENTS: None.

16.009 State and Local Domestic Preparedness Exercise Support

AUTHORIZATION: Anti-Terrorism and Effective Death Penalty Act of 1996, Public Law 104-132, Section 819, 42 USC 3751 (b)(26) and FY 2001 Appropriation Act, Public Law 106-553.

OBJECTIVES: To provide exercise planning to State and local jurisdictions and to conduct national, State, and local exercises for response to Weapons of Mass Destruction (WMD) domestic terrorist incidents involving nuclear, biological, chemical, and explosive devices.

USES AND USE RESTRICTIONS: Grants may be used for exercise planning and conducting national, State, and local exercises.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Eligible applicants are State and local jurisdictions. Applicants may also be a public or private nonprofit agency or for profit agency providing or coordinating with programs, which will provide a full-range of domestic preparedness services for first responders.

BENEFICIARY ELIGIBILITY: State and local units of government.

CREDENTIALS/DOCUMENTATION: The applicant must complete a grant application package and adhere to its requirements. The application must include: (1) Standard Form 424 which must be signed by the Chief Executive Officer (CEO) of the applicant jurisdiction; (2) program narrative containing the program plan; (3) project management structure; (4) Fiscal Year 2001 Program Budget; (5) Assurances; (6) Certifications; and (7) Reporting Requirements.

FORMULA AND MATCHING REQUIREMENTS: None.

16.010 State and Local Domestic Preparedness Technical Assistance

AUTHORIZATION: Anti-Terrorism and Effective Death Penalty Act of 1996, Public Law 104-132, Section 819, 42 USC 3751 (b)(26) and FY 2001 Appropriation Act, Public Law 106-553.

OBJECTIVES: To provide direct assistance to State and local jurisdictions in enhancing their capacity and preparedness to respond to Weapons of Mass Destruction (WMD) domestic terrorist incidents involving nuclear, biological, chemical, and explosive devices. The program goals are to enhance the ability of State and local jurisdictions to develop, plan and implement a program for WMD preparedness and to sustain and maintain specialized equipment.

USES AND USE RESTRICTIONS: Grants may be used to provide assistance to State and local units of government in developing, planning, and implementing a program for WMD preparedness.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: Applicants may be a public or private nonprofit agency or for profit agency providing or coordinating with programs which will provide a full range of domestic preparedness services for first responders.

BENEFICIARY ELIGIBILITY: State and local units of government.

CREDENTIALS/DOCUMENTATION: The applicant must complete a grant application package and adhere to its requirements. The application must include: (1) Standard Form 424 which must be signed by the Chief Executive Officer (CEO) of the applicant jurisdiction; (2) program narrative containing the program plan and project management structure; (3) Fiscal Year 2001 Program Budget; (4) Assurances; (5) Certifications; and (6) Reporting Requirements.

FORMULA AND MATCHING REQUIREMENTS: None

16.599 Local Firefighting and Emergency Services Training

AUTHORIZATION: Anti-Terrorism and Effective Death Penalty Act of 1996, Public Law 104-132, Section 819,15 USC 2201.

OBJECTIVES: To provide specialized training and equipment to enhance the capability of metropolitan fire and emergency service departments to respond to terrorist attacks, and fund demonstration sites in urban communities where innovative fire and emergency services training programs may be replicated in other communities.

USES AND USE RESTRICTIONS: To enhance readiness and preparedness of fire and emergency services personnel to respond to terrorist incidents of mass destruction where incendiary devices, nuclear, biological or chemical agents are utilized. The training program and the demonstration program will work in concert with other Federal agencies, specifically the Federal Emergency Management Agency (FEMA), the Department of Defense (DOD), and the Department of Health and Human Services (HHS) which have similar objectives. The primary recipient of the local firefighting training program will be metropolitan areas of the United States encompassing approximately 120 of the largest U.S. jurisdictions. The recipients of the fire and emergency services demonstration grants will receive funding to demonstrate and document relevant fire and emergency training services that show promise and demonstrates sound planning for multi agency responses in response to terrorist attacks.

ELIGIBILITY REQUIREMENTS:

Urban metropolitan jurisdictions who desire training or who have the capacity to establish effective fire and emergency services to respond to terrorist attacks.

APPLICANT ELIGIBILITY: Applicants requesting funding must comprise of an urban metropolitan area with the capability to respond to terrorist attacks on a broad scale utilizing a mix of fire and emergency services.

BENEFICIARY ELIGIBILITY: States, units of local governments, and U.S. Territories.

CREDENTIALS/DOCUMENTATION: Applications for funding under the Anti-Terrorism and Death Penalty Act of 1996, for fire and emergency services training must submit a request in writing that describes: (1) the jurisdiction’s current fire and emergency services capability (2) the number and type of agencies providing services (3) population and geographic area of the jurisdiction (4) an assessment of the jurisdiction’s vulnerability from potential terrorist activity

that might include probable targets, such as specific buildings, roads, dams, bridges or other structures; and(5) the extent to which fire and emergency services could be disrupted in the event of a terrorist attack and the impact that would have on the jurisdiction's ability to provide fire and emergency services. Applications for demonstration grants to establish model programs that have the potential for becoming fire and emergency services programs other jurisdictions could replicate must also be submitted in writing. In addition to paragraphs 1 and 4 above, the applicant must also explain how and to what capacity fire and emergency services would be enhanced with demonstration grant funding.

FORMULA AND MATCHING REQUIREMENTS: None.

POLICE CORPS

16.712 Police Corps and Law Enforcement Officers Training and Education

AUTHORIZATION: Violent Crime Control and Law Enforcement Act codified at Sections 200102 et. seq. 42 USC 14091 et. seq. of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

OBJECTIVES: To address violent crime by increasing the number of police with advanced education assigned to community patrol in areas of great need, and to provide educational assistance to students who possess a sincere interest in public service through law enforcement and to law enforcement personnel.

USES AND USE RESTRICTIONS: (a) Educational assistance: Police Corps participants must complete education, training and service requirements. All participants must successfully complete the 16-24 week Police Corps training program and serve for four years on community patrol with a State or local police force in a participating State. Undergraduate participants first must attend college on a full-time basis and earn a baccalaureate degree. Participants who pursue graduate study must complete their service and training obligations in advance. Educational assistance is based on participants' actual educational expenses; no participant may receive more than $30,000 under the program. (b) Cash assistance to police forces: State and local police and sheriffs' departments that employ Police Corps participants receive $10,000 for each of a participant's first four years of service. No department may receive a cash payment for any year in which its average size has declined by more than 2 percent since January 1, 1993, or in which it has laid off officers. No more than 10 percent of a State's Police Corps participants may be assigned to a statewide police force. (c) Training cost reimbursements are paid only to State training facilities approved to offer the Police Corps training program or its substantial equivalent. (d) Educational assistance to dependents of officers killed in the line of duty is based on actual expenses for college education and the four year service obligation is waived; no dependent may receive more than $30,000 under the program.

ELIGIBILITY REQUIREMENTS:

APPLICANT ELIGIBILITY: (a) States: All States are eligible to submit a State plan. (b) State and local police forces: Law enforcement agencies within participating States are eligible to hire Police Corps participants. No participant may be assigned to serve with a local force whose size has declined by more than 5 percent since June 21, 1989, or which has members who have been laid off but not rehired. (c) Participants: Participants must be citizens of the United States or aliens lawfully admitted for permanent residence, possess the necessary mental and physical capabilities and moral characteristics to be an effective police officer, be of good character, meet the standards of the police force with which they will serve, and demonstrate sincere motivation and dedication to law enforcement and public service. Applicants are selected on a competitive basis. (d) Assistance to dependents of officers killed in the line of duty: Eligible dependents must be a natural or adopted child or stepchild of a law enforcement officer who served in a State that participates in the Police Corps and who was slain after the state had an approved Police Corps state plan.

BENEFICIARY ELIGIBILITY: States, State and local police forces, and individuals as outlined above.

CREDENTIALS/DOCUMENTATION: Information on documentation required in State plans can be obtained from the Office of the Police Corps (Headquarters). Interested individuals and law enforcement agencies should contact the State lead agency for specific requirements. A list of State lead agencies is available from the Office of the Police Corps (Headquarters).

FORMULA AND MATCHING REQUIREMENTS: This program has no matching requirements.

NOTES

Appendices

Appendix I: ACH Vendor/Miscellaneous Payment Enrollment Form

Appendix II: Financial Status Report (Short Form)

ACH VENDOR/MISCELLANEOUS PAYMENT ENROLLMENT FORM

OMB No. 1510-0056

This form is used for Automated Clearing House (ACH) payments with an addendum record that contains payment-related information processed through the Vendor Express Program. Recipients of these payments should bring this information to the attention of their financial institution when presenting this for completion.

PRIVACY ACT STATEMENT

The following information is provided to comply with the Privacy Act of 1974 (P.L. 93-579). All information collected on this form is required under the provisions of 31 U.S.C. 3322 and 31 CFR 210. This information will be used by the Treasury Department to transmit payment data, by electronic means to vendor's financial institution. Failure to provide the requested information may delay or prevent the receipt of payments through the Automated Clearing House Payment System.

AGENCY INFORMATION

OJP Grant Number/s:

AGENCY IDENTIFIER: OJP	AGENCY LOCATION CODE (ALC): 15-04-0001
ADDRESS: 810 Seventh Street, NW Attn: Office of the Comptroller Control Desk Washington D.C. 20531	
CONTACT PERSON NAME: Office of the Comptroller Customer Service Center	TELEPHONE NUMBER (800) 458-0786
ADDITIONAL INFORMATION:	

PAYEE/COMPANY INFORMATION

OJP Vendor Number:

NAME:	
ADDRESS:	
Grantee E-mail (Payment Notification) address:	
CONTACT PERSON NAME:	TELEPHONE NUMBER: ( )

FINANCIAL INSTITUTION INFORMATION

NAME:	
ADDRESS:	
ACH COORDINATOR NAME:	TELEPHONE NUMBER: ( )
NINE-DIGIT ROUTING TRANSIT NUMBER:	
DEPOSITOR ACCOUNT TITLE:	
DEPOSITOR ACCOUNT NUMBER	LOCKBOX NUMBER:
TYPE OF ACCOUNT: CHECKING SAVINGS LOCKBOX	
SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL: (Could be the same as ACH Coordinator)	TELEPHONE NUMBER: ( )

NSN 7540-01-274-9925 3881–102 SF3881 (Rev. 12/90)
Prescribed by Department of Treasury
33 U S C 3322: 31 CFR 210

AGENCY COPY

FINANCIAL STATUS REPORT

(Short Form)
(Follow instructions on next page)

Submit Form

1. Federal Agency and Organizational Element to Which Report is Submitted	2. Grant or Award Number Assigned by OJP	OMB Approval No.	Page	of
U.S. Dept. of Justice Office of Justice Programs (OJP)		1121-0264 Expires 1/3/2006	1	1 pages

3. Recipient Organization (Name and complete address, including ZIP code)

4. Vendor Number	5. Recipient Internal Code or Identifying Number (if any)	6. Final Report	7. Basis
		[X] Yes [ ] No	[ ] Cash [X] Accrual

8. Funding/Grant Period *(See Instructions)* From: (Month, Day, Year)	To: (Month, Day, Year)	9. Period Covered by this Report From: (Month, Day, Year)	To: (Month, Day, Year)

10. Transactions:	I Previously Reported	II This Period	III Cumulative
a. Total outlays	$0.00	$0.00	$0.00
b. Recipient share of outlays			$0.00
c. Federal share of outlays			$0.00
d. Total unliquidated obligations			$0.00
e. Recipient share of unliquidated obligations			
f. Federal share of unliquidated obligations			
g. Total Federal share *(Sum of lines c and f)*			$0.00
h. Total Federal funds authorized for this funding period			
i. Unobligated balance of Federal funds *(Line h minus line g)*			$0.00

11. Indirect Expense	a. Type of Rate *(Place "X" in appropriate box)* [ ] Provisional [ ] Predetermined [ ] Final [ ] Fixed			
	b. Rate 0%	c. Base	d. Total Amount $0.00	e. Federal Share

12. *Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.*

A. Block/Formula pass through
B. Federal Funds Subgranted

PROGRAM INCOME:
C. Forfeit
D. Other
E. Expended
B. Unexpended $0.00

13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.

Typed or Printed Name and Title	Telephone (Area code, number and extension)
Signature of Authorized Certifying Official	Date Report Submitted

DOJ Standard Form 269a (REV 2002)

Paperwork Reduction Act Notice. Under the Paperwork Reduction Act a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this application is 90 minutes per application. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office of Justice Programs, US Department of Justice, 810 Seventh Street, NW, Washington, DC 20531

Submit Form

OFFICE OF JUSTICE PROGRAMS INSTRUCTIONS
FOR FINANCIAL STATUS REPORTING (SF269A)
(Web-Based SF269A)

The quarterly Financial Status Report (FSR) is due 45 days after the end of the calendar quarter. Please be reminded that this is a report of expenditures not a request for reimbursement. To request reimbursement, use an OJP payment system*. Send the completed report to: Office of Justice Programs, Attn:Control Desk, 810 Seventh Street, NW - 5 Floor, Washington, DC 20531 or fax them to (202) 616-5962 or alternate fax #(202)353-8475. Please type or print legibly and do not change any pre-printed information. If you have already filed an FSR for the current calendar reporting quarter and need to make changes, please submit a corrected FSR and print "AMENDED" or "CORRECTED" at the top of the form.

Note: Without a current FSR on file, funds will not be disbursed.

Please ensure that you fill out every space (except Box #5) of this report, or your FSR will not be processed.

1. Pre-printed as: **U.S. Dept. of Justice, Office of Justice Programs**

2. Enter the OJP grant number found on your grant award document. For example, 2001-TE-CX-0000.

3. Enter current name and address of the award recipient.

4. Enter the assigned 9 digit OJP vendor number as recorded on your grant award document.

5. Enter any identifying number assigned by your organization for your internal use. If none, leave blank.

6. If you have finished expending funds and recording your required match related to this award, regardless of whether they have been or will be reimbursed by the Federal Government, check "Yes." Otherwise, check "No."

7. Indicate whether your accounting system uses a CASH or an ACCRUAL basis for recording transactions related to this award. For reports prepared on a CASH basis, outlays are the sum of actual cash disbursement for direct purchases of goods and services at the lowest funding level. For reports prepared on an ACCRUAL basis, outlays are the sum of actual cash disbursement at the lowest funding level. Unpaid obligations represent the amount of obligations that you incurred at the lowest funding level but have not yet paid out.

8. Enter both the begin and end dates of the award period.

9. Enter the FROM and TO dates for the current reporting calendar quarter as listed below.

Reporting Quarter	Reports Due Not Later than
Jan 1 through Mar 31	May 15
Apr 1 through Jun 30	Aug 14
Jul 1 through Sep 30	Nov 14
Oct 1 through Dec 31	Feb 14

Note: Data for more than one calendar quarter may be rolled up into one report for the first report submitted.

10. Lines 10a, 10b, and 10c refer to your **cash outlays** including the value of in-kind match contributions for this award at the lowest funding level (i.e., monies you have spent). Column I is the cumulative total of expenditures for the prior reported calendar quarter. Amounts in this column came from your previous report. Column II is for the current reporting calendar quarter's outlays and for any corrections needed. Column III is for the result when adding across the amounts reported in Columns I and II. **The total of lines 10b and 10c should equal the amount reported on line 10a for each column.**

Lines 10d, 10e, and 10f should only be completed if you indicated in **Box 7** that you are on an accrual basis of accounting. Lines 10d, 10e, and 10f refer to the amount of unpaid obligations or accounts payable you have incurred. Items such as payroll (which has been earned, but not yet paid) is an example of an accrued expense. Line 10d is the total of your unpaid obligations to date.

Line 10e is your share of these unpaid obligations. Line 10f is the Federal share of unpaid obligations. **The total of lines 10e and 10f should equal the amount on line 10d.**

Line 10g is the total Federal share of your cash outlays and unpaid obligations regardless of whether you have received reimbursement. It will be the total of Column III, Lines 10c and 10f. Line 10h is the total amount of your award. Change this amount only if you have received a supplemental award. Line 10i is the amount of your total award which has not either been expended through a cash outlay or encumbered by an unpaid obligation. **It is the difference between Column III, Lines 10h minus 10g equals Line 10i.**

11. Please refer to your award documents to complete this section. This section will only be completed if you have a Negotiated Indirect Cost Rate with your cognizant agency.

Line 11a Indicate the type of rate that you have. Line 11b is the indirect cost rate in effect during this current reporting period. Line 11c is the amount of the base against which the cost rate is applied. Line 11d is the total amount of indirect costs charged during this current reporting period. Line 11e is the Federal Government share of the amount reported on Line 11d. (11b x 11c = 11d)

Note: If more than one rate was in effect during this reporting period, attach a schedule showing all applicable rates amounts for Line 11b through 11e.

12. Line 12A is the cumulative amount of Federal funds your State agency has passed-through to local units of government, other specified groups or organizations as directed by the legislation of the program.

Line 12B is the cumulative amount of Federal funds subgranted including amounts subgranted to State agencies and amounts reported on Line 12A.

Line 12C is the cumulative Federal portion of forfeited assets to be used in this grant whether the assets were forfeited as a result of this grant or another grant.

Line 12D is the cumulative Federal portion of program income earned from other than forfeited assets. This is income from sources such as registration fees, tuition, and royalties. This amount should not be included in Box 10.

Line 12E is the cumulative amount of program income from all sources, including forfeited assets and interest earned, which have been expended by your organization. This amount should not be included in Box 10.

Line 12F is the balance of unexpended program income (12C + 12D - 12E).

13. Along with your printed name and telephone number, please remember to sign and date the FSR. **It will not be processed without signature.**

*If you need any assistance on the financial aspect of your OJP grants, contact the OC Customer Service Center at 1-800-458-0786 or email us at ask.oc@usdoj.gov

Glossary of Terms

Accrual Basis is the method of recording revenues in the period in which they are earned, regardless of when cash is received, and reporting expenses in the period when the charges are incurred, regardless of when payment is made.

Administrative Requirements are set forth at 28 CFR Part 66 for State and local units of government and 28 CFR Part 70 for nongovernmental organizations.

Amusement/social event is an informal gathering which is not mandatory for all participants to attain the necessary information. An indicator of a social/amusement event is a cash bar.

Awarding agency is the Federal government or the next highest authority, i.e., the State agency administering the formula award or the Federal agency administering the discretionary award.

Awards may include funding mechanisms, such as grants, cooperative agreements, interagency agreements, contracts, and/or other agreements.

Block/formula awards are awarded to the States to provide assistance to State and local units of government for programs in accordance with legislative requirements.

Breaks are short pauses in an ongoing informational program at trainings, meetings, conferences, or retreats. Typically, an all-day event may include one break during a morning session and one break during an afternoon session.

Break foods consist of cookies, sodas, and fruits or other snack items, and may be served at a training program, a meeting, or a conference.

Budget Period is the period for which a budget is approved for an award. The budget period may be equal to or shorter than the project period for an award, but cannot be longer than the project period.

Cash Basis is the method of reporting revenues and expenses when cash is actually received or paid out.

Closeout is a process in which the awarding agency determines that all applicable administrative actions and all required work of the award have been completed by the recipient and the awarding agency.

Cognizant Federal agency is the Federal agency that generally provides the most Federal financial assistance to the recipient of funds. Cognizance is assigned by the Office of Management and Budget (OMB). Cognizant agency assignments for the largest cities and counties are published in the Federal Register. The most recent publication was dated January 6, 1986.

Conference or meeting is a formal event involving topical matters of general interest, (i.e., matters that will contribute to improved conduct, supervision, or management of the agency's functions or activities), to Federal agency and non-Federal agency participants, rather than a routine business meeting primarily involving day-to-day agency operations and concerns. "Meeting" includes other designations, such as a

conference, congress, convention, seminar, symposium, training for grantees or contractors, and workshop. See 5 USC 4110 (1994).

Consultant is an individual who provides professional advice or services.

Continental breakfast means a light breakfast that may include selection of coffees, teas, juices, fruits, and assorted pastries, and is allowable provided several hours of substantive material directly follows the continental breakfast. Grant recipients are reminded that the least expensive of the available selections should be chosen.

Contracts are entered into by the awarding agency, recipients or subrecipients, and commercial (profit- making) and non-profit organizations. With the exception of a few justified sole-source situations, contracts are awarded via competitive processes to procure a good or service.

Cooperative agreements are awarded to States, units of local government, or private organizations at the discretion of the awarding agency. Cooperative agreements are utilized when substantial involvement is anticipated between the awarding agency and the recipient during performance of the contemplated activity.

Discretionary awards are made to States, units of local government, or private organizations at the discretion of the awarding agency. Most discretionary awards are competitive in nature in that there are limited funds available and a large number of potential recipients.

Domestic travel includes travel within and between Canada and the United States and its territories and possessions.

Equipment is tangible non-expendable personal property having a useful life of more than one year and an acquisition cost of $5,000 or more per unit. A recipient/subrecipient may use its own definition of equipment provided that such definition would at least include all equipment defined above.

Federal contractor is a person or entity that contracts with the Federal government to provide supplies, services, or experimental, developmental, or research work. Entities may include commercial organizations, educational institutions, construction and architect-engineer companies, State and local governments, and non-profit organizations. See 48 CFR 31.103-105, 31.107-108 (1995).

Federal employees are those persons employed in or under an agency of the United States Federal Government or the District of Columbia. See 5 USC 4101 (1994).

Federal grantee means the component of a State, local, or federally recognized Indian tribal government, educational institution, hospital, or a for-profit or non-profit organization which is responsible for the performance or administration of all or some part of a federal award. See OMB Circular No.A-87, Attachment A; OMB Circular No.A-110, Attachment A.

Focus group means a gathering of Federal government employees to discuss results and improvements of programs in the field. The focus group should follow a prepared agenda, be led by an expert in the subject matter, and serve to educate the Federal employees.

Food and/or beverages retain their common meanings. Food or beverages are considered in the context of formal meals and in the context of refreshments served at short, intermittent breaks during an activity. Beverages do not include alcoholic drinks.

Foreign travel includes any travel outside of Canada and the United States and its

territories and possessions. For an organization located in a foreign country, this means travel outside that country.

Formal agenda provides a list of all activities that shall occur during the event, using an hour-by-hour time line. It must specifically include the times during the event when food and beverages will be provided.

Grants are awarded to States, units of local government, or private organizations at the discretion of the awarding agency or on the basis of a formula. Grants are used to support a public purpose.

High risk is a determination made by the awarding agency of a recipient's ability to financially administer Federal project funds. Additional reporting requirements are imposed on high risk recipients.

Incidental means relating to a formal event where full participation by participants mandates the provision of food and beverages.

Interagency agreements and purchase of service arrangements are usually entered into by two governmental units or agencies. Such funding arrangements are negotiated by the entities involved.

Match is the recipient share of the project costs. Match may either be "in-kind" or "cash." In-kind match includes the value of donated services. Cash match includes actual cash spent by the recipient and must have a cost relationship to the Federal award that is being matched. (Example: Match on administrative costs should be other administrative costs, not other matching on program costs).

Nonexpendable personal property includes tangible personal property having a useful life of more than one year and an acquisition cost of $5,000 or more per unit. A recipient may use its own definition of nonexpendable personal property provided that the definition would at least include all tangible personal property as defined below.

Obligation means a legal liability to pay under a grant, subgrant, and/or contract determinable sums for services or goods incurred during the grant period.

Passthrough is an obligation on the part of the States to make funds available to units of local governments, combinations of local units, or other specified groups or organizations.

Personal property means property of any kind except real property. It may be tangible (having physical existence) or intangible (having no physical existence, such as patents, inventions, and copyrights).

Preagreement costs are defined as those costs which are considered necessary to the project but occur prior to the starting date of the award period.

Prior approval means written approval by the authorized official (the next highest authority except for sole source) evidencing consent prior to a budgetary or programmatic change in the award.

Program income means gross income earned by the recipient during the funding period as a direct result of the award. Direct result is defined as a specific act or set of activities that are directly attributable to grant funds and which are directly related to the goals and objectives of the project. Determinations of "direct result" will be made by the awarding agency for discretionary grants and by the State for block/formula subawards. Fines/penalties are not considered program income. Program income may be used only for allowable program expenses.

Project Period is the period for which implementation of a project is authorized. The project period may be equal to or longer than the budget period for an award, but can not be shorter than the budget period.

Purchase of evidence (P/E) is the purchase of evidence and/or contraband, such as narcotics and dangerous drugs, firearms, stolen property, counterfeit tax stamps, etc., required to determine the existence of a crime or to establish the identity of a participant in a crime.

Purchase of services (P/S) includes travel or transportation of a non-Federal officer or an informant; the lease of an apartment, business front, luxury-type automobiles, aircraft or boat, or similar effects to create or establish the appearance of affluence; and/or meals, beverages, entertainment, and similar expenses (including buy money and flash rolls, etc.) for undercover purposes, within reasonable limits.

Purchase of specific information (P/I) includes the payment of monies to an informant for specific information. All other informant expenses would be classified under P/S and charged accordingly.

Real property means land, land improvements, structures, and appurtenances thereto, excluding movable machinery and equipment.

Reasonable means those costs which a prudent person would have incurred under the circumstances prevailing at the time the decision to incur the cost was made. Costs to consider when making judgments about reasonableness include the cost of food and beverage, total cost of the event, and costs incurred relative to costs in the geographical area. The exception to this definition is lodging costs for events of 30 or more participants, when the event is funded with an OJP award. For these events, reasonable is defined as the Federal per diem rate for lodging.

Reception means an informal gathering which is not mandatory for all event participants to obtain necessary information. Indicators of a reception include a cash bar, inadequate seating for the entire group, food items from a reception menu (such as finger foods), and a longer break (than utilized throughout the day) between the substantive meetings and the reception. Receptions are expressly prohibited and are considered to be an unallowable cost with Federal funds.

Recipient is an individual and/or organization that receives Federal financial assistance directly from the Federal agency.

Social event is any event with alcohol beverages served, available, or present.

Stipend is an allowance for living expenses. Examples of these expenses include, but are not limited to, rent, utilities, incidentals, etc.

Subaward is an award of financial assistance in the form of money to an eligible subrecipient or a procurement contract made under an award by a recipient.

Subrecipient is an individual and/or organization that receives Federal financial assistance from the direct recipient of Federal funds. This may include entities receiving funds as a result of block or formula awards.

Supplanting is to deliberately reduce State or local funds because of the existence of Federal funds. For example, when State funds are appropriated for a stated purpose and Federal funds are awarded for that same purpose, the State replaces its State funds with Federal funds, thereby reducing the total amount available for the stated purpose.

Working dinner means a formal and mandatory dinner necessary for all

participants to have full participation in the conference or event. A working dinner must include a formal agenda including a program or speakers that will impart necessary information important for full understanding of the subject matter of the conference. There should be several hours of informative sessions providing substantive information scheduled both before and after a working dinner. Indicators of a working dinner include seating for all participants. A cash bar is expressly prohibited.

Working lunch is a formal and mandatory lunch necessary for all participants to have full participation in the conference or event. A working lunch must include a formal agenda including a program or speakers that will impart necessary information important for full understanding of the subject matter of the conference. There should be several hours of informative sessions providing substantive information scheduled both before and after a working lunch (exhibits are not included). Indicators of a working lunch include seating for all participants. A cash bar is expressly prohibited.

Work related event is a conference or meeting involving a topical matter of interest within the purview of the agency's mission and function.

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