



# BJA FY 2024 Byrne State Crisis Intervention Program Formula Solicitation

## REQUEST FOR PROPOSAL GUIDE

### **Eligibility:**

Proposals may be submitted by but not limited to courts (state, county, local, and tribal), institutes of higher learning, law enforcement, supervision agencies, prosecutors, public defenders, behavioral health, emergency communications, etc.

### **Proposal Deadline:**

All applications are due No Later  
Than Wednesday, July 10, 2024



Bureau of Statistics and Plans  
Hagatna, Guam 96932  
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[www.bsp.guam.gov](http://www.bsp.guam.gov)

## Table of Contents

<b>OVERVIEW</b> .....	<b>2</b>
Federal Requirement .....	2
<b>PROPOSAL DEADLINE</b> .....	<b>3</b>
Submission of Application.....	3
Contact Information .....	3
Eligibility of Applicant .....	3
Guam Crisis Intervention Program (GCIP) Advisory Board.....	3
Grant Funding Amount .....	3
Eligible Activities .....	3
Match Requirement.....	6
Length of Support .....	6
Evidence Based Practices .....	6
Guidelines for the Use of Grant Funds .....	7
<b>QUARTERLY FINANCIAL AND PROGRAMMATIC REPORTING</b> .....	<b>8</b>
<b>PERFORMANCE MEASURES REPORTING</b> .....	<b>9</b>
<b>REPORTING FRAUD, WASTE, ABUSE AND MISCONDUCT</b> .....	<b>9</b>
<b>FY 2024 BYRNE SCIP APPLICATION CHECKLIST</b> .....	<b>10</b>
<b>APPLICATION CONTENTS: FY 2024 BYRNE SCIP PROJECT PROPOSALS</b> .....	<b>11</b>
<b>COMPLIANCE WITH 2 C.F.R. PART 200 UNIFORM ADMINISTRATIVE REQUIREMENTS</b> .....	<b>20</b>
ALLOWABLE COSTS .....	20
UNALLOWABLE COSTS .....	28
<b>APPENDIX A: NEW BJA PERFORMANCE MEASURES SYSTEM</b> .....	<b>32</b>
<b>APPENDIX B: BUDGET DETAIL WORKSHEET &amp; NARRATIVE</b> .....	<b>34</b>

## Overview

On June 25, 2022, President Biden signed the Bipartisan Safer Communities Act of 2022 into law to reduce gun violence, save lives, and progress toward keeping guns out of dangerous hands. As authorized by the Bipartisan Safer Communities Supplemental Act, 2022; 28 U.S.C. 530C, the Byrne State Crisis Intervention Program (SCIP) provides formula funds to implement state crisis intervention court proceedings and related programs or initiatives. These include, but are not limited to, extreme risk protection order (ERPO) programs that work to keep guns out of the hands of those who pose a threat to themselves or others, mental health courts, drug courts, and veterans treatment courts. Through grant award from the U.S. Department of Justice, each state is allocated a share of the money based on population and crime rates. The goal of the FY 2024 Byrne SCIP is to prevent or reduce crime and violence with a particular focus on gun violence and the program and initiatives that target the risk factors.

The Bureau of Statistics and Plans (Bureau) is the State Administrative Agency (SAA) of the Byrne State Crisis Intervention Program. As a SAA, the Bureau will administer SCIP funds and monitor subrecipients compliance with all Byrne SCIP special conditions and provisions, and provide ongoing assistance to sub recipients. Additionally, monitor sub recipients to ensure appropriate use of federal funds and implementation of program activities to include sub grantee are aware of and in compliance with all programmatic and financial rules.

### Federal Requirement

Byrne SCIP is authorized by the Bipartisan Safer Communities Supplemental Appropriations Act, 2022 ([Pub. L. No. 117-159, 136 Stat. 1313, 1339](#)); 28 U.S.C. 530C. If selected for funding, in addition to implementing the funded project consistent with the Office of Justice Programs (OJP) approved application, grantees must comply with all award requirements (including all award conditions), and applicable federal statutes and regulations. In addition, as described in the Part 200 Uniform Requirements as set out at 2.C.F.R. 200.303, Sub Recipients must comply with standards for financial and program management. See the [OJP Grant Application Resource Guide](#) for additional information.

Each applicant (unless the applicant is an individual or has been otherwise exempted in accordance with 2 C.F.R.25.110) is required to (1) be registered in SAM before submitting its proposal; (2) provide a valid unique entity identifier in its proposal; and (3) continue to maintain an active SAM.gov registration with current information at all time during which it has an active federal award or an application or proposal under consideration by a federal awarding agency.

In addition, an assurance that Byrne SCIP funds will not be used to supplant state or local funds but must be used to increase the amounts of such funds that would, in the absence of federal funds, be made available. This certification attests that federal funds will be used to supplement existing funds for program activities, not replace funds already appropriated for the same purpose. Post supplanting will be the subject of post-award monitoring and audit. The penalties for supplanting can include suspension of future funds for the particular program where the violation occurred, suspension or debarment from all federal grants, repaying the money awarded from the grant and long with further civil penalties.

## **Proposal Deadline**

Each project proposal for the FY 2024 Byrne SCIP must be submitted to the Bureau of Statistics and Plans **by no later than Wednesday, July 10, 2024, 5:00 pm**. Proposals submitted after the deadline will not be considered. Please provide a hardcopy and an electronic format in Microsoft Word to the Bureau.

## **Submission of Application**

Proposal/s must be submitted to the Bureau of Statistics and Plans' Main Office located at the Office of the Governor, 513 West Marine Corps Drive, Ricardo J. Bordallo Governor's Complex Hagatna, Guam 96910.

## **Contact Information**

If you have any questions, please contact Esther Camacho, Senior Planner or Millie Erguiza, Senior Planner, at (671) 472-4201/2/3 or at [esther.camacho@bsp.guam.gov](mailto:esther.camacho@bsp.guam.gov) or [millie.erguiza@bsp.guam.gov](mailto:millie.erguiza@bsp.guam.gov), respectively.

## **Eligibility of Applicant**

Applicants are open to but limited to state governments, courts (state, county, local, and tribal), institutes of higher learning, law enforcement, supervision agencies, prosecutors, public defenders, behavioral health, emergency communications, etc.

## **Guam Crisis Intervention Program (GCIP) Advisory Board**

The Bureau of Justice Assistance requires the establishment of a Crisis Intervention Advisory Board to inform and guide the implementation of the federal Byrne SCIP Grant in creating and implementing gun violence reduction programs and initiatives and other related programs. The GCIP was established on October 31, 2023 through [Executive Order No. 2023-13](#).

Program and budget plans must be developed in coordination with and demonstrate of approval by the GCIP Advisory Board and must be expressly approved by BJA post award via Grant Award Modification (GAM).

## **Grant Funding Amount**

The total pass-through amount under the FY 2024 Byrne State Crisis Intervention Program Grant Program is \$333,392.

## **Eligible Activities**

Applicant must propose any one of the Program/Initiatives Areas (PIAs) **and** include one or more related Program/Initiatives Activity:

- PIA 1: Related Court-based Programming
- PIA 2: Referrals to Community-based Services for People in Crisis (see the [National Guidelines for Behavior Health Crisis Care Best Practice Toolkit](#) and [Guidance for Emergency Responses to People with Behavioral Health or Other Disabilities](#))

- PIA 3: PIA 3: Funding for Law Enforcement Crisis Intervention Programs or Initiatives

FY 2024 BYRNE SCIP PROGRAMS/ INITIATIVES AREAS (PIA)	RELATED PROGRAM/ INITIATIVES ACTIVITY
<b>PIA 1: Related Court-based Programming</b>	<ul style="list-style-type: none"> <li>• Develop processes to identify, triage and connect court-involved people in crisis to services.</li> </ul>
	<ul style="list-style-type: none"> <li>• Expand the capacity of existing drug, mental health, and veterans treatment courts, including to assist clients who are mostly likely to commit or become victims of gun crimes.</li> </ul>
	<ul style="list-style-type: none"> <li>• Implementing or expanding domestic courts focused on those at risk for gun related violence.</li> </ul>
	<ul style="list-style-type: none"> <li>• Embed social workers in prosecutor, public defender and/or courts agencies to provide screening, assessment, and referral to services for people in crisis, such as court-based navigators.</li> </ul>
	<ul style="list-style-type: none"> <li>• Prosecutor, pretrial, or court diversion programs.</li> </ul>
	<ul style="list-style-type: none"> <li>• Development and implementation of validated gun violence risk assessment tools, enhancement of existing tools and service case management and navigation programs to assess the risks and needs of clients and connect them to critical services to mitigate their risk of gun violence and enhance their access to effective interventions.</li> </ul>
	<ul style="list-style-type: none"> <li>• Community courts that connect people in crisis with community resources.</li> </ul>
	<ul style="list-style-type: none"> <li>• Programming and training on domestic violence cases and related protection orders, including relinquishment of firearms.</li> </ul>
	<ul style="list-style-type: none"> <li>• Threat assessment training for prosecutors, judges, law enforcement, and public defenders.</li> </ul>
<b>PIA 2: Referrals to Community-based Services for People in Crisis</b>	<ul style="list-style-type: none"> <li>• Pre-arrest law enforcement and first responder deflection.</li> </ul>
	<ul style="list-style-type: none"> <li>• Assertive community treatment</li> </ul>
	<ul style="list-style-type: none"> <li>• Behavioral threat assessment program and related</li> </ul>

FY 2024 BYRNE SCIP PROGRAMS/ INITIATIVES AREAS (PIA)	RELATED PROGRAM/ INITIATIVES ACTIVITY
	<p>training.</p> <ul style="list-style-type: none"> <li>• Triage services, mobile crisis units (both co-responder and civilian only), and peer support specialist.</li> <li>• Suicide and crisis prevention and referral to services.</li> <li>• Technological supports such as smartphone applications to help families and patients navigate mental health and related systems and telehealth initiatives, including technology solutions for telehealth visits outside the hospital.</li> <li>• Behavioral health responses and civil legal responses to people in crisis, such as regional crisis call centers, crisis mobile team response, and crisis receiving and stabilization facilities for individuals in crisis.</li> <li>• De-escalation training for law enforcement, first responders and other justice practitioners.</li> <li>• Embedding social workers with law enforcement and co-responder programs.</li> <li>• Specialized training for individuals who work with or are in families of adults and youth who are in crisis.</li> <li>• Related law enforcement-based programs, training, and technology, focused on crisis intervention for those at risk to themselves or others.</li> </ul>
<p><b>PIA 3: Funding for Law Enforcement Crisis Intervention Programs or Initiatives</b></p>	<ul style="list-style-type: none"> <li>• Development and or delivery of specialized training, including crisis response and intervention training (CRIT), and overtime for officers to attend such training.</li> <li>• Training for school resource officers on identifying youth at risk for firearm violence.</li> <li>• Supplies, equipment, technology, and training to safely secure, store, track, and return relinquished guns, such as gun locks and storage for individuals</li> </ul>

FY 2024 BYRNE SCIP PROGRAMS/ INITIATIVES AREAS (PIA)	RELATED PROGRAM/ INITIATIVES ACTIVITY
	and businesses and software or other technologies to track relinquished guns.
	<ul style="list-style-type: none"> <li>• Gun safety training for community members.</li> </ul>
	<ul style="list-style-type: none"> <li>• Systems purchase or enhancement to facilitate service and/or tracking of ERPOs.</li> </ul>
	<ul style="list-style-type: none"> <li>• Technology, analysis, or information-sharing solutions for ensuring law enforcement, probation, prosecutors, the courts, and public defenders are informed when a prohibited person attempts to purchase a firearm.</li> </ul>
	<ul style="list-style-type: none"> <li>• Data collection, analysis, and strategic planning to address community gun violence.</li> </ul>
	<ul style="list-style-type: none"> <li>• Personnel, supplies, and other related costs for crisis intervention officers or co-responders.</li> </ul>

**Match Requirement**

There is no match requirement for these funds.

**Length of Support**

The grant period for programs/initiatives awarded under these solicitations will be used until the grant expiration on September 30, 2027. The Bureau will only request to the Bureau of Justice Assistance a one-year no-cost project extension only if the situation or matter was beyond the control of the recipient (i.e., natural disaster or clearance of special award conditions).

**Evidence Based Practices**

Applicant are encouraged the use of data and evidence in policymaking and program development for criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the [OJP Grant Application Resource Guide](#).

Evidence-based program and or practices is defined as: Program and practices that have been shown, through rigorous evaluation and replication, to be effective at accomplishing goals and achieving criminal justice related priorities (e.g., preventing or reducing crime, disrupting criminal activity, etc.). Where sufficient evidence is not available for a program or practice to be recognized as “evidence based”, the applicant should use the research literature and a clear, well-articulated theory or conceptual framework to develop their program or practices.

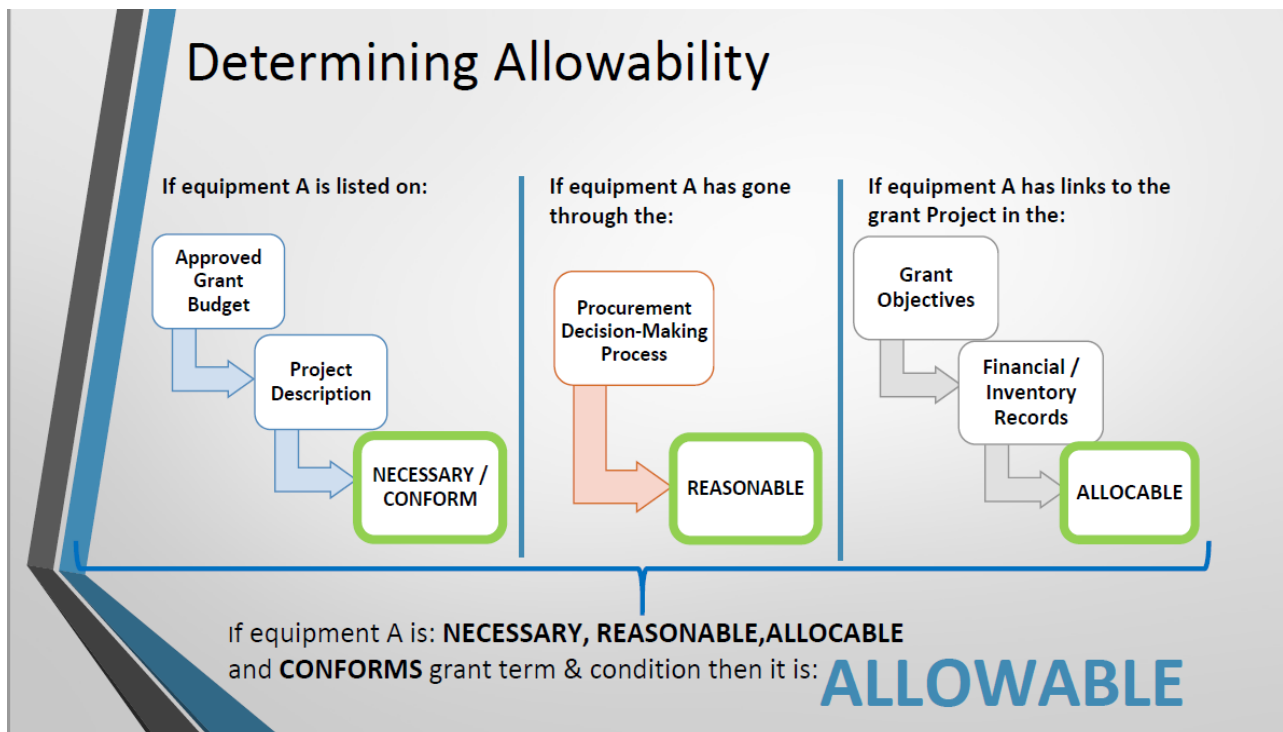
Data driven strategies are defined as: Criminal justice interventions that are informed by analyses of the factors believed to be generating the particular crime problem in a community, and that link

the crime problem to evidence-based practice. The goal is to use the problem analysis to produce highly focused interventions on the people, places, and contexts generating the specific crime problems.

## Guidelines for the Use of Grant Funds

### A. Allowable Expenses:

1. Personnel, supplies, contractual support, training, technical assistance, and information systems related to the implementation of an actual programs/initiatives within the SCIP priority areas. The programs/ initiatives must be stated in the narrative of the proposal.
2. All-grant funded personnel must have one-hundred percent (100%) of their grant-funded time dedicated to grant activities (see also all non-supplanting provision in the Grant Terms and Conditions).
3. The purchase of equipment will only be allowed when the equipment is necessary and integral to the conduct of the project/program to be funded by the JAG Program. Equipment costs must be reasonable, thoroughly justified, and directly related to the grant project outcomes.





B. Unallowable Expenses/Limitations on funding:

1. Any expenditure that is not a part of an approved program/initiative is unallowable.
2. Grant funds may not be used to supplant state or local funds but must be used to increase the amounts of such funds that would, in the absence of federal funds, be made available.
3. In addition to the unallowable cost identified in the DOJ Grants Financial Guide, awards may not be used for the following:
  - a. Prizes, rewards, entertainment, trinkets (or any type of monetary incentive)
  - b. Client Stipends
  - c. Gift cards
  - d. Food and beverage
  - e. Unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV), and all accompanying accessories to support UAS or UAV.
  - f. All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.
4. Activities to support the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. Recipients and subrecipients must comply with the provisions in 2 C.F.R. § 200.450 (Lobbying) and 18 U.S.C. 1913, as appropriate.

**QUARTERLY FINANCIAL AND PROGRAMMATIC REPORTING**

Under the FY 2024 Byrne SCIP, quarterly financial and programmatic reporting will be required, and the reporting periods are as follow:

<b>Programmatic Reporting Periods</b>	<b>Due Dates</b>
October- December	January 15
January- March	April 15
April-June	July 15
July-September	October 15

<b>Financial Reporting Periods</b>	<b>Due Dates</b>
October- December	January 15
January- March	April 15
April-June	July 15
July-September	October 15

## PERFORMANCE MEASURES REPORTING

Performance Measurement Tool Periods	Due Dates
October- December	January 15
January- March	April 15
April-June	July 15
July-September	October 15

To assist in fulfilling the U.S. Department of Justice’s responsibilities under the Government Performance and Results Act of 1993 (GPRA), P.L. 103-62, and the GPRA Modernization Act of 2010, Public Law 111–352, applicants who receive funding under this solicitation must agree to collect data appropriate for facilitating reporting requirements. Quarterly performance metrics reports must be submitted through BJA’s Performance Measurement Tool (PMT) web site: <https://bjapmt.ojp.gov/>. Applicants must ensure that valid and auditable source documentation is available to support all data collected for each performance measure required by the program including those specified in the program solicitation or award.

All Byrne SCIP recipients should be aware that BJA has made changes to the BJA Byrne SCIP performance reporting process and should view the on-line training sessions to understand the changes and requirements in order to populate the data and complete the PMT (refer to Appendix A). The questions and performance measures for the BJA SCIP could be found at <https://bjja.ojp.gov/funding/performance-measures/byrne-scip-measures.pdf>.

## REPORTING FRAUD, WASTE, ABUSE AND MISCONDUCT

Each grantee or subgrantee who is awarded funds under the 2023 Byrne JAG Program is to promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person that has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving JAG funds. You may report potential fraud, waste, abuse, or misconduct to the U.S. Department of Justice, Office of the Inspector General (OIG) by –

Mail: Office of the Inspector General U.S. Department of Justice Investigations Division  
950 Pennsylvania Avenue, N.W. Room 4706 Washington, DC 20530

Email: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)

Hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG web site at [oig.justice.gov/hotline](https://oig.justice.gov/hotline)

# FY 2024 Byrne SCIP APPLICATION CHECKLIST

Parts I, II, and III of the application must be submitted together. Check that the following have been completed.

## 1. Part I. Title Page

- a) items A to R are completed

## 2. Part II. Description of Project

- a) problem statement includes supporting data or facts
- b) plan of action that includes scope and detail of how the proposed project will address the problem identified in the problem statement
- c) goals are clearly defined (project's intent to change, reduce, or eliminate the problem)
- d) objectives are specific and measurable
- e) activities demonstrate how objectives will be accomplished
- f) performance indicators/outcome measures are linked to the goals/ objectives
- g) program's effectiveness- data collection, correlation to goals and objectives for measurement and individual responsible for collection
- h) applicant's capabilities/competences & project partners to successfully implement the project
- i) schedule and timeline are included
- j) budget and budget narrative are included. Refer to Part III
- k) defines the agency(s) and personnel that will manage and work on the project
- l) supplant statement

## 3. Part III. Budget Detail and Explanation

Provide as much detail as possible, e.g. travel costs should be itemized by the number of trips and estimated cost per trip; equipment costs should contain descriptions and costs of specific items; etc., in the Budget Detail Worksheet.

- a) items A through I total the amount of the grant application
- b) budget explanation completed and attached
- c) budget clearly supports the project's objectives and activities

- 4. The Application (Parts I Title Page, II Description of the Project, and III Budget Detail and Explanation) **must be saved on Microsoft Word and emailed to BSP in Microsoft word.**

- 5. Submit **one original and a digital copy in Microsoft Word format.**

## APPLICATION CONTENTS: FY 2024 Byrne SCIP PROJECT PROPOSALS

*All proposals must use the following bold, underlined headings in the same order as presented. Respond to each bulleted question within the section asked.*

### PART I. TITLE PAGE CONTENTS

- A. **Project Abstract:** Applicants must provide an abstract which includes the applicant's name, title of the project, and a brief description of the problem to be addressed and target area and population, project goals and objectives, brief statement of proposed strategy or overall program, description of any significant partnerships, anticipated outcome and major deliverables. The abstract must not exceed one-half page or 500 words.
- B. **Program Title:** Enter the proposed program title.
- C. **Project Title:** Enter a brief descriptive title.
- D. **Grantee Name:** Enter the name of the agency.
- E. **SCIP Programs/ Initiatives Area and Programs/ Initiatives Activities:** Identify the authorized FY 24 SCIP program area **and** programs/initiatives activity this project falls under. See Eligible Activities.
- F. **Applicant Address:** Enter the full mailing and physical address.
- G. **Applicant Agency UEI Number:** All applicants under the FY 2024 Byrne State Crisis Intervention Program Request for Proposal must include their entity's UEI (Unique Entity Identifier) number in their application in addition to the UEI under DOA. **Applications without a UEI number are incomplete and will not be reviewed.**

The SAM UEI is a unique 12-character identifier (a combination of letters and numbers) assigned at no cost by SAM.gov. The DUNS numbers will no longer be used by the federal government and SAM.gov. The new Unique Entity Identifier (UEI) is now the primary means of identifying entities registered for federal awards government-wide in the System for Award Management (SAM). The identified number is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and sub recipients.

**Please note that Government of Guam line agencies that use the "980018947" EIN number must use the "J5DHQHSHTJE7" UEI number assigned to the Department of Administration. Systems for Award Management:** The Office of Justice Programs requires that all applicants for federal financial assistance maintain current registrations in the SAM database. The Central Contractor Registry (CCR) has been migrated to the System for Award Management (SAM). The SAM database is the repository for standard information about federal financial assistance applicants, recipients, and sub recipient. Please note that applicants must update

or renew their SAM registration at least once per year to maintain active status.

You do not need to do anything in SAM at this time, unless a change in your business circumstances requires updates to your Entity record(s) in order for you to be paid or to receive an award or you need to renew your Entity(s) record prior to its expiration. SAM will send notifications to the registered user via email 60, 30, and 15 days prior to expiration of the Entity. To update or renew your Entity records(s) in SAM you will need to create a SAM User Account and link it to your migrated Entity records. You do not need a user account to search for registered entities in SAM by typing the UEI number or business name into the search box. Please attach a copy of your updated or renewed SAM User Account.

Reports Required under the Federal Funding Accountability and Transparency Act (FFATA):

The Federal Funding Accountability and Transparency Act of 2006 (referred to as FFATA or The Transparency Act) requires the Office of Management and Budget to maintain a single, searchable website that provides the public with information about how tax dollars are spent and gives them the ability to hold the Federal Government accountable for each spending decision. That site is <http://www.usaspending.gov>.

Pass-through entities that award \$30,000 or more to subrecipients are required to submit data in the FFATA Subaward Reporting System. Per 2 C.F.R. Volume 1, §170 (Reporting Subaward and Executive Compensation Information), prime grant recipients awarded a new Federal grant greater than or equal to \$30,000 as of October 1, 2010 are subject to FFATA sub-award reporting requirements as outlined in the OMB guidance issued August 27, 2010. The prime awardee is required to file a FFATA sub-award report through the FFATA Subaward Reporting System (FSRS), located at [www.fsrs.gov](http://www.fsrs.gov), by the end of the month following the month in which the direct recipient awards any sub-grant greater than or equal to \$30,000. Pass-through entities should also review and carefully consider 2 C.F.R. § 200.331 (Subrecipient and Contractor Determinations), as it includes guidance in making an appropriate determination that is relevant not only with regard to subrecipient reporting under FFATA, but also is key to the proper financial and programmatic administration and management of federal award funds.

The reporting requirements for Federal award recipients of both formula and discretionary grants awarded on or after October 1, 2010 are:

- All subaward information must be reported by the Federal recipient.
- If the initial subaward is at least \$30,000, the award recipient must report the subawards and the names and annual compensation of the subawardee's five highest paid executives.
- If the initial award is below \$30,000 but subsequent award modifications result in a total award equal to or over \$30,000, the award will be subject to the reporting requirements as of the date the award reaches \$30,000.
- If the initial award is equal to or greater than \$30,000 but de-obligation of funding causes the total award amount to fall below \$30,000, recipients will continue to be subject to the reporting requirements.

The reporting requirements do NOT apply to the following:

- Awards to individuals
- Recipients that had a gross income of \$300,000 or less in their previous tax year
- Classified information.

Reporting requirements for DOJ awards may change from year to year. Please read the award documents carefully.

- H. Methods of Administration: Specific to the Judiciary of Guam (JOG), Office of the Attorney General (OAG) and the Guam Police Department (GPD) to provide a copy of your approved Office for Civil Rights (OCR) written Methods of Administration ("MOA") for subrecipient monitoring with respect to civil rights requirements.
- I. Equal Employment Opportunity Plan Utilization Report: Provide a copy of your Equal Employment Opportunity Plan (EEOP) Utilization Report that is approved by the Office for Civil Rights (OCR). If your agency and or organization does not have an approved EEOP, you will be required upon notice of award to provide a copy of your EEOP to be transmitted to the OCR for review and approval. If you are an existing subrecipient of the Byrne JAG Program, you are required under the terms of your Memorandum of Understanding to ensure you maintain a current and effective EEOP on file and to provide a copy to BSP.
- J. Limited English Proficiency (LEP) Plan: Provide a copy of the current and effective Limited English Proficiency (LEP) Plan that provides the reasonable steps to ensure LEP persons have meaningful access to the services under your agency or organizations program(s) in compliance with Title VI and the Safe Streets Act and the Office of the Governor Executive Order No. 2015-15. If your agency and or organization does not have an LEP Plan, you will be required upon notice of award to provide a copy of your LEP. If you are an existing subrecipient of the Byrne JAG Program, you are required under the terms of your Memorandum of Understanding to ensure you maintain a current LEP Plan on file and to ensure to provide a copy to BSP.
- K. Applicant Agency EIN Number: An Employer Identification Number (EIN) is also known as a Federal Tax Identification Number, and is used to identify a business entity.

Please note that the Government of Guam line agencies that use the "J5DHQHSHTJE7" UEI number must use the "980018947" EIN number.

- L. Location of Project: If appropriate, identify the location(s) where the project will be implemented.
- M. Project Period: Enter the expected starting and completion dates of the project. The time frame is not to exceed September 30, 2027.
- N. Type of Application: Indicate if this is a new application or a continuation application.
- O. Total Project Amount: Enter the total grant cost that the applicant is applying for (round to the nearest dollar).

- P. Other Funding Sources. Indicate whether an application has other funding sources or has been or will be submitted to other funding sources. Provide the funding amount and the source of funding and or the name of the source agency and the funding amount applying for.
- Q. Project Director: Enter the name, address, email address, telephone and facsimile numbers of the person who will be directly responsible for administering the project.
- R. Financial Officer: Enter the name, address, email address, telephone and facsimile numbers of the person who will be directly responsible for the fiscal matters of the project. The Financial Officer and the Project Director should not be the same person.

## **PART II. DESCRIPTION OF PROJECT CONTENTS**

This section is the most important part of the application because it not only describes what will be done and who will do it, but it also justifies the need for the project. The information requested in Sections A to K below must be described in detail. Please follow this order in describing the project.

### **A. Problem Statement/Target Population**

Describe the nature and scope of the existing problem, including the present status of activities by the applicant or other law enforcement agencies regarding the problem. This section should clearly justify the reasons why the project is needed. If this is a continuation project, describe results/outcome of the previous project funded.

The following outline may be used as a guide:

- What specific problem(s) and/or target population will the project address? (Example: an increasing incidence of drug trafficking, an increase in domestic violence complaints, an increase in burglary in the village of Dededo, etc.)
- What is the scope of the problem?
  - a. Geographical
    - Is the problem concentrated in one location or in several with similar characteristics?
    - Is the problem statewide? Is the project either a statewide or model solution?
  - b. Criminal Justice System
- What segments of the criminal justice system are affected by this problem?
- What is the magnitude of the problem?

Include all available pertinent data (e.g., number of arrests, number of agency referrals, caseloads, clearance rates, etc.) as well as any other indicators that further define the problem.

- How many people are currently affected by the problem?
- How have state agencies dealt with this problem in the past? What were the limitations in that approach?
- Why is it important that the problem be addressed at this time? If this is a continuation project, include a brief statement discussing the current problems in light of the previous years' accomplishments.

### **B. Project Description**

Describe the plan of action that includes a description of the scope and detail of how the proposed project will address the problem identified in the problem statement section of the application.



The application will be evaluated as to how effectively it:

- Describes the proposed activities and approach to be taken and clearly demonstrates how the identified problem will be addressed. The approach should seem logical.
- Describes how the project aligns to the programs/initiatives area and activities.
- Discusses the necessary resources that are required to implement the approach or the response outlined in the proposed application. The resources should be reasonable given the scope and detail of the identified approach.
- Presents evidence to support the rationale for choosing the approach or response and how it is based on the demonstrated effectiveness of the proposed activity or activities similar to that proposed. The applicant should provide information showing that the approach or response has been shown to be effective or that there is a basis in professional experience to believe it will be effective.

### C. Goals

A goal is the end result toward which an effort is directed. Project goals should be clearly stated and realistic, and limited to a precise statement of the specific project goals and objectives that will help to solve or overcome the problem(s) identified. Vaguely stated goals need to be assessed to determine whether reliable and valid measurement is possible. As a consequence, vague goals affect management's ability to evaluate a project due to the lack of criteria for project effectiveness.

Goals should also be realistic ("achievable"). For instance, reducing the number of recidivism arrests of drug offenders may be an achievable goal, but eliminating recidivism may not be a realistic one, as it is nearly impossible to completely eliminate a problem. Additionally, goals must be distinguished from the project description itself because it is common to find goals stated in documents that are in fact project activities. For example, making arrests refers to what a multi-jurisdictional task force does, not what it intends to accomplish. The notion of goals should be used in reference to outcomes.

Applicant should describe the project's intent to change, reduce, or eliminate the problem noted in the problem statement.

The following may serve as a guide with regard to definition of terms and contents:

1. A goal may be defined as a general statement of an undesirable condition to be improved or a desired state of affairs toward which to strive. Examples: Crime-oriented (i.e., to reduce the sale and distribution of illicit drugs); System Improvement (i.e., to improve the delivery of substance abuse treatment services to criminal justice clients).
2. An objective is a specific statement of a measurable end condition to be achieved within a stated period of time. Examples: Crime-oriented (i.e., to increase by 20% from the previous fiscal year the number of prescription forgeries detected during the project period); System Improvement (i.e., that 20% of the project participants, who receive substance abuse treatment, will not be rearrested during the project period).

## D. Project Objectives

Describe the outcomes or changes anticipated as a result of the proposed project. The achievement of the objectives should provide an outcome that reflects a measurable change for the target population due to the services offered by the program. Provide two objectives, with performance measures and baseline numbers that further the goal of the selected Program Area. Applications will be evaluated on how effectively it: 1) clearly identifies project objectives (**measured change as a result of implementing the proposed project**), performance measures (**how you will measure that change, what instruments and/or tools are to be used, etc.**); and 2) any baseline data that exists. The project objectives should reflect an appropriate amount of change anticipated or accomplishments that are logical and clearly linked to the identified problem and the proposed approach/response as discussed in the previous sections of the application.

	<u>Objective</u>	<u>Performance Indicator</u>	<u>Baseline Data</u>
Example	Measure of change that will result from the proposed project during project period.	Information collected to document expected changes.	Number documenting what occurred during the past year.
Objective	Increase by 10% the number of crime prevention programs presented to residents in the village of Dededo by December 31, 2025.	The type of crime prevention programs presented in the village of Dededo; the number of people who attended; number and type of informational materials distributed, type of stakeholder meetings engaged/collaboration with other organizations, etc.	Overall percentage in achieving objective and impact/outcome of prevention programs presented to residents between January 1, 2025 and December 31, 2025.

## E. Project Activities

Program activities are those events that are expected to produce results which meet the stated goals and objectives. The project must have a realistic chance of attaining its specified goals and objectives if a meaningful assessment of a program's effectiveness is to occur. Therefore, the cause-and-effect relationship between program activities and goals and objectives must be identified and assessed.

Just as objectives are the means by which project goals can be assessed, project activities serve as the vehicle for assessing to what extent objectives are achieved. The clear description of the project activities provides the basis for developing procedures to measure project implementation.

Program activities must be developed within the confines of the project's resources. Consideration

must be given to the amount of funds, personnel and time period that is available or can be obtained for use in the project. This should include those resources within the agency that can provide support and assistance toward the project. A realistic determination of resources should eliminate those activities that are impossible to achieve within the scope of the project.

To identify project activities, examine the project's objectives first, and then determine those activities that: (1) are more directly (plausibly) linked to the project's objectives; and (2) can produce the project's stated objectives. By analyzing these activities, they can be grouped under the project objectives from which they would logically flow. You may note that several of the project activities may be aligned under two objectives. This indicates that an activity has a causal linkage with, or can be expected to produce, both project objectives.

## **F. Performance Measures**

Performance measures are used to determine the impact of the activities. They provide quantifiable information on the status of achievement for each objective. Performance measures clearly indicate whether or not the objective has been achieved, or, using gradations or increments, measure the degree to which the objective has been accomplished.

In addition to the program goals, you will need to include your organization's performance measures to assess whether grant objectives are being met.

## **G. Impact/Outcomes, Evaluation, Sustainment and Description for the Collection of the Date required for the PMT**

Explain how the program's effectiveness will be demonstrated. Discuss the significance of the program's impact to improve the functioning of the criminal justice system. To effectively assess the results of the project, the applicant should indicate: (1) the process in which the data will be collected (the type of information, method of recording, time frame for collection); (2) specific correlation to the goals and objectives for measurement; and, (3) the individual(s) responsible for the data collection and analysis.

## **H. Capabilities/Competencies & Project Partners**

Fully describe the applicant capabilities to implement the proposed project successfully and the competencies of the staff assigned to the project. Describe the proposed management structure and project staffing. Include any information that is relevant to the planning of the project. Questions you may wish to answer include: "Who do we need as partners for this project?", "How do we organize all partners to work effectively together?" and "By whom and how will this project be managed?"

## **I. Project Timeline**

Attach a project timeline with each project goal, related objective, activity, expected completion date, and responsible person or organization. Describe how project activities and objectives will

be reasonably achieved in the given project period. Applications will be evaluated as to how effectively it presents a comprehensive, thorough timeline that is well-defined and specifies what will be done, who (individuals and organizations) will do it, and when it will be accomplished. The timeline should be reasonable given the nature of the problem, the target population, and the approach/response discussed in earlier sections of the application. If applicable, include any other deliverables that will be created and/or used throughout the project.

#### **J. Budget and Budget Narrative**

Provide a comprehensive budget and budget narrative that are complete, allowable, and justified on the proposed project (Refer to Appendix B).

Present a clear and detailed budget with a narrative that clearly explains and justifies the budget information. The costs of the proposed program and the costs are considered reasonable in view of the types and range of activities to be conducted, the number of participants to be served, and the expected results and benefits.

#### **K. Position Description**

If the project requires the employment of full time or part time personnel, contractual, or other related employment type, indicate the position(s) to be filled and, the duties or responsibilities of each. Please provide the position descriptions for all positions that the application seeks to fund under this grant.

#### **L. Supplant**

Federal funds must be used to **supplement** existing State and local funds for program activities and must not **supplant** those funds that have been appropriated for the same purpose.

Supplanting is prohibited by DOJ. Will any of the Byrne SCIP funds be used to **supplant** other funds for the same activity?

## COMPLIANCE WITH 2 C.F.R. PART 200 UNIFORM ADMINISTRATIVE REQUIREMENTS

The Office of Justice Programs Financial Guide, the Office of Management and Budget (OMB), circulars and government-wide common rules applicable to grants and cooperative agreements were incorporated into the New Uniform Grant Guidance, 2 CFR 200, also known as the “Super Circular” or “Uniform Guidance”. This new guide streamlines the Federal government’s guidance from eight OMB circulars (A-20, A-50, A-87, A-89, A-102, A-110, A-122, and A-133) into one document, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. The objectives of the guidance are to ease administrative burden and strengthen oversight of federal funds to reduce risks of waste, fraud and abuse. The Uniform Guidance has been in effect for all federal agencies.

**Applicants are required to become familiar with the 2 CFR 200 Uniform Administrative Requirements, Subparts, A-F in addition to the latest USDOJ Financial Guide for the implementation of allowable and unallowable project activities and other DOJ Grant Requirements as provided in the approved and established Memorandum of Understanding (MOU).**

## ALLOWABLE COSTS

### Introduction

Federal grant funds are governed by the cost principles of 2 CFR 200, Subpart E. To be allowable under Federal awards, costs must be reasonable, allocable, and necessary to the project, and they must also comply with the funding statute and agency requirements. In this section we highlight certain elements of allowable costs. For more information about specific factors that affect whether costs are allowable, refer to the appropriate cost principle-related section of 2 CFR 200, Subpart E Cost Principles.

### Limit on Use of Award Funds for Employee Compensation

Federal grant funds may not be used to pay cash compensation (salary plus bonuses) to any employee at a rate that exceeds 110 percent of the annual maximum salary payable to a member of the Federal Government’s Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year.

The latest salary table for SES employees is available on the U.S. Office of Personnel Management’s Salaries & Wages ([opm.gov](http://opm.gov)).

A recipient may compensate an employee at a higher rate, provided the amount in excess of the limitation is paid with non-Federal funds. For employees who charge only a portion of their time to an award, the allowable amount to be charged to that award is equal to the percentage of time worked on the grant times the maximum salary limit (110% of SES salary).

#### **OJP SPECIFIC TIP**

The Assistant Attorney General for OJP (or, for certain awards, the official listed in the applicable program solicitation) may exercise discretion to waive, on an individual basis, the limitation on compensation rates allowable under an award. An applicant requesting a waiver should include a detailed justification in the budget narrative of the application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit the budget. The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service the individual will provide, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

#### **FINANCIAL MANAGEMENT TIP**

Any additional compensation beyond 110 percent of the U.S. Government SES level will not be considered matching funds where matching requirements apply.

### **Salaries, Wages, and Fringe Benefits**

Compensation for personal services “includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries [and] fringe benefits” 2.C.F.R. § 200.430.

### **Support of Salaries, Wages, and Fringe Benefits**

Charges made to Federal awards for salaries, wages, and fringe benefits must be based on records that accurately reflect the work performed and comply with the established policies and practices of the organization. See 2 C.F.R. § 200.430 & § 200.431.

- Charges must be supported by a system of internal controls that provides reasonable assurance that the charges are accurate, allowable, and properly allocated.
- Documentation for charges must be incorporated into the official records of the organization.
- Support must reasonably reflect the total activity for which the employee is compensated by the organization and cover both federally funded and all other activities. The records may include the use of subsidiary records as defined in the organization's written policies.
- Where grant recipients work on multiple grant programs or cost activities, documentation must support a reasonable allocation or distribution of costs among specific activities or cost objectives.
- 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.

- The recipient must complete and keep on file, as appropriate in accordance with Federal law, the U.S. Citizenship and Immigration Services' Employment Eligibility Verification Form I-9 for individuals working under the award. This form is to be used by recipients (and any subrecipients) of Federal funds to verify that persons hired under the award are eligible to work in the United States.

**OJP SPECIFIC TIP**

With respect to the limitation, compensation for salary plus bonuses are applicable to any award of more than \$250,000.

**FINANCIAL MANAGEMENT TIP**

Examples of items that may support salaries and wages can include timesheets, time and effort reports, or activity reports that have been certified by the employee and approved by a supervisor with firsthand knowledge of the work performed. Payroll records should also reflect either after the fact distribution of actual activities or certifications of employee's actual work performed.

**FINANCIAL MANAGEMENT TIP**

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

**OJP SPECIFIC TIP**

**Added Work**

- A recipient or subrecipient may employ a State or local government worker to complete tasks in addition to his or her full-time job, provided the work is performed on the employee's own time and:
- Compensation paid should be reasonable and consistent with that paid for similar work in other activities of State or local government;
- The employment arrangement is approved and proper under State or local regulations (e.g., no conflict of interest); and
- The time and/or services provided are supported by adequate documentation.

**Overtime Compensation**

Unless specifically exempted under the Fair Labor Standards Act, recipient and subrecipient employees should be compensated with overtime payments for work performed in excess of the established work week (usually 40 hours).

- Payment of more than occasional overtime is subject to periodic review by the awarding agency.

- In addition, overtime compensation is typically reviewed during programmatic, financial monitoring and audits.

Executive, administrative and professional employees who meet the criteria for an exemption from the overtime requirements of the Fair Labor Standards Act may not be reimbursed for overtime under grants and cooperative agreements. More information on overtime exemptions under the Fair Labor Standards Act is available on the Department of Labor’s website at [https://www.dol.gov/whd/overtime\\_pay.htm](https://www.dol.gov/whd/overtime_pay.htm).

### **Consultant Rates**

Please refer to Ch. 3.6 (Prior Approval) 2022 DOJ Financial Guide, Consultant Rates, for a more complete discussion of the requirements and restrictions for these costs.

### **Conferences and Workshops**

All recipients should see Chapter 3.10: Conference Approval, Planning, and Reporting for more information.

All conferences (defined broadly to include meetings, retreats, seminars, symposiums, events, and group training activity) conducted by Cooperative Agreement recipients or contractors funded by DOJ must receive written prior approval. An approved award budget is not a prior approval. All prior approval requests must be submitted within the required number of days (90 or 120) in advance of the start date (See Chapter 3.10., 2022 DOJ Financial Guide).

#### **CONFERENCES AND WORKSHOPS TIP**

All contracts under an award funded by OJP award for events that include 30 or more participants (both Federal and non-Federal) must ensure that lodging costs for any number of attendees do not exceed the prevailing Federal per diem rate for lodging. If the lodging rate is not the Federal per diem rate or less, none of the lodging costs associated with the event are allowable costs to the award. As a result, the recipient would be required to pay for all lodging costs for the event with non-award funds, 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 would be required to pay the full \$100 per night, not just the difference of \$22 per night.

### **Travel**

Travel expenses are allowable costs for employees who are in travel status on official business related to the award. These costs must be reasonable and in accordance with the organization’s established travel policy. In the absence of an established travel policy, the organization must comply with the Federal travel regulations (48 C.F.R. 31.205-46(a), most easily accessible via the U.S. General Services Administration website). See 2 C.F.R. § 200.475.

- The DOJ awarding agency reserves the right to determine the reasonableness of an organization’s travel policy.
- Recipients and subrecipients must follow their own established travel policies.



- If a recipient or subrecipient does not have an established travel policy, they must abide by the Federal travel policy including per diem rates.
- The current per diem rate information is available at the Per Diem rates section of the U.S. General Services Administration (GSA) website.

Cost for tips (for example, tips paid to taxi or shuttle services) are allowable. Tips typically must be within the applicable per diem rate for incidental expenses, unless a different organizational travel policy applies.

Foreign travel is defined as any travel outside of Mexico, Canada and the United States and its Territories and possessions.

- For an award recipient or subrecipient located outside Mexico, 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.

## **Project Site**

**Rental costs.** The rental cost of space in privately or publicly owned buildings used for the benefit of the project is allowable subject to the conditions stated below:

- The total cost of space does not exceed the rental cost of comparable space and facilities in a privately-owned building in the same locality. See 2 C.F.R. § 200.465(a).
- The cost of space procured for project usage is not charged to the program for periods of non-occupancy without authorization of the grant making component. See 2 C.F.R. § 200.446 Idle facilities and idle capacity.
- Rental costs may not be charged to the grant if the recipient owns the building or has a financial interest in the property. See 2 C.F.R. § 200.465(b) and (c). (However, the cost of ownership (i.e., depreciation) is an allowable expense – see below and 2 C.F.R. § 200.436 Depreciation.)
- Rental costs may not be charged for building purchases or construction originally financed by the Federal Government, during the pendency of the federal interest.
- Costs for rental of any property (to include commercial or residential real estate) owned by individuals or entities affiliated with the recipient or subrecipient, for purposes such as the home office workspace are unallowable. The cost of related utilities is also unallowable. 2 C.F.R. § 200.465(c)(6), (f).

The cost of space procured under rental-purchase or a lease-with-option to purchase agreement is allowable with prior written approval by the awarding agency. See 2 C.F.R. § 200.439(b)(1); 200.1 (definitions of *capital expenditures* and *capital assets*.) This type of arrangement may require application of special matching share requirements under construction programs.

## **Ownership costs.**

- Where the organization owns the facility, the cost of ownership (e.g. depreciation) is an allowable expense.
- Ownership expenses 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 charged elsewhere such as rental costs, they cannot be charged to the federal award.
- Cost of ownership expenses for a publicly owned building are allowable where “rental rate” systems, or equivalent systems that adequately reflect actual costs, are employed.
- Depreciation or use allowance on idle or excess facilities is not allowable, except when specifically authorized by the Federal awarding agency See 2 C.F.R. § 200.446.
- Recipients may not use an accelerated method to calculate depreciation without clear evidence indicating that the expected consumption of the asset will be significantly greater in the early portion than in the later portion of its useful life.

## **Utilities, Repair, Maintenance, and other Facility Costs**

The cost of utilities, insurance, security, janitorial services, elevator service, upkeep of grounds, ordinary repairs and maintenance, and the like are allowable to the extent they are not otherwise included in rental or other charges for space. See 2 C.F.R. § 200.452.

Costs incurred for rearrangement and alteration of facilities required specifically for the award program, or that materially increase the value or useful life of the facility (i.e., capital improvements), are allowable with prior written approval by the awarding agency. See 2 C.F.R. § 200.462 and § 200.439(b)(3). (NEPA requirements may also be applicable; contact the awarding agency for additional information.)

## **Publication and Printing**

Project costs for publication and printing, including distribution, promotion, and general handling of electronic or print media are allowable. If these costs are not identifiable with a particular project or cost activity, the costs should be allocated as indirect costs to all benefiting activities of the organization. To be considered allowable, publication costs must be incurred in accordance with the terms of the project. Additional guidance for publication and printing costs is set out in 2 C.F.R. § 200.461.

## **Printing and Duplication**

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:

- 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.
- The publication of findings by recipients/subrecipients within the terms of their project provided such publication is not primarily or substantially for the purpose of having such findings printed for the awarding agency.
  - If recipients/subrecipients need to duplicate less than 5,000 units of only one (1) page, or less than 25,000 units in the aggregate of multiple pages, of its findings for the awarding agency, DOJ will not consider this duplication to constitute printing primarily or substantially for the awarding agency (e.g., 5,000 copies of 5 pages, etc.).
  - Duplicated pages may not exceed a maximum image size of 10¾ by 14¼ inches.

## Publication

Recipients publicizing project activities and results must follow applicable conditions on their awards, including those related to required publication disclaimers and to the reservation on the part of the federal awarding agency under 2 C.F.R. 200.315(b) of a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes, and to authorize others to do so.

All publication and distribution agreements with a publisher must include provisions giving the Federal Government a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use the publication for Federal Government purposes (see [Chapter 3.7](#) (2022 DOJ Financial Guide)). The agreements with a publisher should contain also information on any additional awarding agency requirements specific to the project.

Unless otherwise specified in the award, recipients/subrecipients may copyright any books, publications, films, or other copyrightable material developed or purchased as a result of award activities. Copyrighted material will be subject to the same provisions giving the Federal Government a license as described above. See [2 C.F.R. § 200.315](#) and [Chapter 3.7](#) (2022 DOJ Financial Guide).

### OJP SPECIFIC TIP

Recipients/subrecipients are permitted to display the official awarding agency logo, seal, or any other official awarding agency (or office) insignia in connection with the activities supported by the award, only with the prior written approval of the awarding agency. OJP recipients/subrecipients are expected to review, become familiar with, and adhere to the “Terms of Use” information and all other applicable requirements in the [Office of Justice Programs Brand Guidelines](#).

The logo (or seal or insignia) must appear in a separate space, apart from any other symbol or credit.

The words “Funded/Funded in part by DOJ” shall be printed either below or beside the logo (or seal or insignia), each time it is displayed.

Recipients are encouraged to make the results and accomplishments of their activities available to the public. Recipients publicizing project activities and results must adhere to the following parameters:

- Responsibility for the direction of the project activity should not be ascribed to the grant-making component.
  - The publication must 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 or grant-making component.”
  - The publication must not convey DOJ’s official recognition or endorsement of the recipient’s project simply based on having received funding.
  - Recipients may file a separate application with the grant-making component requesting official recognition.
- In all materials publicizing or resulting from award activities, the awarding agency assistance must be acknowledged. An acknowledgement of support shall be made through use of the following or comparable footnote:
  - “This project was supported by Award No. XXXXX awarded by the (name of specific office/bureau), Department of Justice.”
- Recipients and any subrecipients are 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.
- All publication and distribution agreements with a publisher must include provisions giving the Federal Government a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use the publication for Federal Government purposes (see Chapter 3.7 DOJ Financial Guide). The agreements with a publisher should contain information on the awarding agency requirements.
- Unless otherwise specified in the award, recipients/subrecipients may copyright any books, publications, films, or other copyrightable material developed or purchased as a result of award activities. Copyrighted material will be subject to the same provisions giving the Federal Government a license as described above.
- A publication and distribution plan should be submitted to the awarding agency before materials developed under an award are commercially published or distributed.
  - The plan must 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.
  - Recipients/subrecipients must obtain prior agency approval of this plan for publishing project activities and results when it uses Federal funds to pay for the publication.

### **Equipment and other Capital Expenditures (Prior Approval Required)**

Equipment and other capital expenditures are allowable with the prior written approval of the awarding agency or pass-through entity. Please refer to 2022 DOJ Financial Guide Ch. 3.6 (Prior Approval), Equipment and Other Capital Expenditures, Ch. 3.7 (Property Standards), and Ch. 3.8 (Procurement) for a more complete discussion of the requirements and restrictions for these costs.

## **Software Development**

Recipients can expense costs associated with software development in the period the costs are incurred, subject to the limits outlined in the budget and budget narrative. See 2 C.F.R. 200.439(b)(4).

Refer to Ch.3.6 (Prior Approval), *Equipment and Other Capital Expenditures*, Ch.3.7 (Property Standards), and Ch.3.8 (Procurement) for a more complete discussion of the requirements and restrictions for these costs.

## **Other Allowable Costs**

In accordance with 2 C.F.R. § 200.428, costs incurred by a non-Federal entity to recover improper payments are allowable as either direct or indirect cost, as appropriate.

## **UNALLOWABLE COSTS**

### **Introduction**

Federal awards generally provide recipients and/or subrecipients with the funds necessary to cover costs associated with the award program. There are other costs, however, categorized as unallowable costs, that will not be reimbursed. Non-Federal entities must not use award or match funding for unallowable costs. Also within the category of unallowable costs are any costs considered inappropriate by the awarding agency. See 2 C.F.R. § 200.1 (Disallowed Costs).

The allowability of certain costs is discussed in 2 C.F.R. § 200, Subpart E - Cost Principles. (For-profit entities and hospitals follow different cost principles – see FAR 31.2, and 2 C.F.R. Part 200b Appendix IX, respectively; and certain nonprofit organizations are exempted from the cost principles in Subpart E, see 2 C.F.R. Part 200 Appendix VIII).

Unallowable cost items that may be of particular relevance for DOJ-funded programs are highlighted below.

### **Land Acquisition**

DOJ grant funds may not be used for land acquisition. See, e.g., 34 U.S.C. 10233.

### **Compensation of Federal Employees**

This category of unallowable costs includes salary payments, consulting fees, or other compensation to full-time Federal employees.

## Travel of Department of Justice (DOJ) Employees

Award funds may not be spent on transportation, lodging, subsistence, and related travel expenses of DOJ employees.

## Bonuses or Commissions

Recipients and subrecipients cannot pay any bonus or commission to any individual or organization to obtain approval of an application for award assistance.

Distribution of earnings in excess of costs, such as when used for bonuses and commissions for certain positions for non-profit organizations, may be unallowable. See 2 C.F.R. § 200.430(g).

Action Item
Be sure to check the award package to determine which salaries, fringe benefits, and other personnel costs are allowable under the specific award.

## Lobbying

Recipients and subrecipients must comply with the provisions in 2 C.F.R. § 200.450 (Lobbying) and 18 U.S.C. 1913, as appropriate. Also, see Chapter 2.1 of this *Guide* for more specifics about restrictions on lobbying.

- The lobbying cost prohibition applies to all award recipients and subrecipients.
- Award funds cannot be used for the following purposes:
  - 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;
  - 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;
  - 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), (c) the enactment or modification of any pending Federal or state legislation by preparing, distributing, or using publicity or propaganda, or by urging members of the general public, or any segment thereof, to contribute to or participate in any mass demonstration, march, rally, fund raising drive, lobbying campaign or letter writing or telephone campaign, or (d) with any Government official or employee in connection with a decision to sign or veto enrolled legislation;
  - Engaging in or supporting the development of publicity or propaganda designed to support or defeat legislation pending before legislative bodies;

- Paying, directly or indirectly, for any personal service, advertisement, telephone, letter, printed or written matter, or other device, intended or designed to influence 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;
- 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;
- Paying a publicity expert for purposes unallowable under the anti-lobbying rules; or
- Attempting to improperly influence, either directly or indirectly, an employee or officer of the executive branch of the Federal Government to give consideration or to act regarding a sponsored agreement or a regulatory matter.
- The Anti-Lobbying Act, 18 U.S.C. § 1913, contains significant restrictions on the use of appropriated funding for lobbying.
  - These anti-lobbying restrictions are 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.
- All recipients must understand that no federally appropriated funding made available under the 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 DOJ.
- 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 guidance.
- Any question(s) relating to the lobbying restrictions should be submitted in writing to the awarding agency’s ethics official (typically in the awarding agency’s Office of the General Counsel) through the DOJ program manager.

### **OJP Specific Tip**

OVW has some programs with purpose areas that expressly authorize “development and promoting state, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking.” Recipients with questions on specific authorized activities should contact their grant manager.

### **Fundraising**

The costs of organized fundraising, 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 as direct or indirect costs against awards. However, certain fundraising costs for the purposes of meeting the Federal program objectives may be allowable with prior approval of the DOJ awarding agency. See 2 C.F.R. § 200.442 for more details.

- The portion of a person’s salary that covers time spent engaged in unallowable fundraising, and any indirect costs associated with those salaries, may not be charged to the award.
- An organization may accept donations (e.g., goods, space, services) towards fundraising, as long as the value of the donations is not charged as a direct or indirect cost to the award.
- Nothing in this section should be read to prohibit a recipient from engaging in fundraising activities, as long as such activities are not financed by Federal or matching funds.

### **Corporate Formation**

The cost for corporate formation (startup costs) may not be charged as either direct or indirect costs against the award except with prior approval from the awarding agency. See 2 C.F.R. 200.455.

### **Other Unallowable Costs**

Other categories of unallowable costs include:

- Entertainment, including amusement, diversion, social activities, and any associated costs (i.e. tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities) are unallowable. Certain exceptions may apply when such costs have a programmatic purpose and have been approved by the awarding agency (2 C.F.R. 200.438);
- Fines and penalties, except when incurred as a result of compliance with specific provisions of an award or contract, or with prior written approval from the awarding agency (2 C.F.R. 200.441);
- Home office workspace and related utilities (2 C.F.R. 200.465(c)(6) and (f));
- Honoraria is unallowable when the primary intent is to confer distinction on, or to symbolize respect, esteem, or admiration for the recipient of the honorarium. A payment for services rendered, such as a speaker’s fee under an award is allowable;
- Bar charges/alcoholic beverages (2 C.F.R. 200.423), and
- Membership fees to organizations whose primary activity is lobbying (2 C.F.R. 200.454(e)).

#### **OJP Specific Tip**

The use of BJA grant funds for unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV), and all accompanying accessories to support UAS or UAV is unallowable.

### **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, unless written approval covering these costs is granted by the awarding agency. See Section 3.2, Period of Availability of Funds.



## **APPENDIX A: NEW BJA PERFORMANCE MEASURES SYSTEM**

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The JAG accountability measures have been updated as a result of the JAG Validity and Reliability assessment. Please find the revised accountability measures for the Byrne Memorial Justice Assistance Grant (JAG) Program that relate to your project activities. The Bureau of Justice Assistance (BJA) recognizes the impact that evidence-based practices have on the success of criminal justice programs, and the JAG accountability measures were designed to further emphasize USDOJ's commitment to capturing evidence-based practices, while easing grantee burden.

Please note that questions in the PMT may appear slightly different from the questionnaires. This is because the web-based nature of the PMT allows the information to be displayed in a dynamic way that is not possible with PDF questionnaires.

Starting with FY 2015 and future awards, recipients were required to report using the revised JAG Accountability Measures. These awards will require quarterly PMT and progress reporting. If your organization/agency received an award under the Byrne JAG Program and your project account was established following an approved Memorandum of Understanding, you are required to report into the PMT on a quarterly basis. Following account establishment, the Bureau will create your project account in the PMT with the name of your entity, the assigned Work Request number and the project award amount.

To review the NEW JAG accountability measures, all grantees and sub-grantees should begin with the file "01\_JAG General Information Questionnaire". This questionnaire includes questions common to all grantees, regardless of their funding use. From here, the questionnaires will guide you through any other modules that may apply. Subgrantees are encouraged to view the on-line training sessions to understand the changes and requirements in order to successfully populate the data and complete the PMT. The training modules will allow you to familiarize yourself with the module, the subject links and the types of information needed in order to successfully complete the PMT reporting period. Information on PMT and training for the revised JAG Measures is posted on the [JAG Training Page](#).

For grantees and sub-grantees with awards of \$25,000 or more: The "01\_JAG General Information Questionnaire" will direct grantees and sub-grantees with awards of \$25,000 or more to complete the questionnaires that relate to their funding usage. These questionnaires are split up so that grantees will only have to download and complete the questionnaires that apply to their grant award. Please read the definitions for the specific funding areas that are provided at the beginning of the "01\_JAG General Information Questionnaire" to determine what funding areas apply to your grant award. After the correct funding area questionnaire(s) are complete, all grantees are also required to complete "15\_JAG Project Progress" quarterly and a final progress report.

For grantees and sub-grantees with awards less than \$25,000: You will be required to answer the General Information Questions and identify any programs you are funding through JAG. Every

six months, you will also be asked to fill out the Project Progress Module. You do not need to complete the program area modules.

**In addition to the quarter PMT report, successful applicants are also required to submit Quarter Progress Reports following the prescribe BJA questions provided below. Additional data may be requested in the Progress Report by BSP to satisfy the reporting requirements.**

**BJA Prescribed Questions:**

1. What were your top three accomplishments this program had within this reporting period?
  - A. Open ended text response (5000 characters)
2. What were the top three goals you focused on during this reporting period and what progress did you make towards those goals accomplished?
  - A. Open ended text response (5000 characters)
3. What problems/barriers did you encounter, if any, within the reporting period that prevented you from reaching your goals or milestones?
  - A. Open ended text response (5000 characters)
4. Is there any assistance that BJA can provide to address any problems/barriers identified in question #3 above?
  - A. Yes/ No
  - B. If yes, please explain.
5. Are you on track to fiscally and programmatically complete your program as outlined in your grant application? (Please answer YES or NO and if no, please explain.)
  - A. Yes/ No
  - B. If No, please explain (5000 characters)
6. What major activities are planned for the next 6 months?
  - A. Open ended text response (5000 characters)
7. Based on your knowledge of the criminal justice field, are there any innovative programs/accomplishments that you would like to share with BJA?
  - A. Open ended text response (5000 characters)

**APPENDIX B: BUDGET DETAIL WORKSHEET & NARRATIVE**

<p><i>Guam's FY 2024 Byrne State Crisis Intervention Program</i>  <i>[Name of Project]</i></p> <p><b>Budget Detail Worksheet</b></p>		
<p><b>A. Personnel</b>--List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.</p>		
<u>Position</u>	<u>Computation</u>	<u>Cost</u>
<p><b>Budget Narrative:</b></p>		
<b>TOTAL PERSONNEL</b>		<b>\$0.00</b>

<p><b>B. Fringe Benefits</b>--Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.</p>		
<u>Position</u>	<u>Computation</u>	<u>Cost</u>
<p><b>Budget Narrative:</b></p>		
<b>TOTAL FRINGE BENEFITS</b>		<b>\$0.00</b>

<p><b>C. Travel</b>-- Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meetings, etc. Show the basis of computation (e.g., six people 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects travel and meals for trainees should be listed separately. Show the number of trainees and unit cost involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.</p>
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<u>Purpose of Travel</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
<b>Budget Narrative:</b>			
Location: Continental United States Government of Guam Travel Policy will be followed & Federal GSA Rates will be applied at time of travel.			
<b>TOTAL TRAVEL</b>			<b>\$0.00</b>

**D. Equipment--** List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. (Note: Organization’s own capitalization policy may be used for items costing less than \$5,000). Expendable items should be included either in the “supplies” category or in the “Other” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high-cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
<b>TOTAL EQUIPMENT</b>		<b>\$0.00</b>

**E.-Supplies--**List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
<b>Budget Narrative:</b>		
<b>TOTAL SUPPLY</b>		<b>\$0.00</b>

**F. Construction--** As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Consult with the program office before budgeting funds in this category.

<u>Purpose</u>	<u>Description of Work</u>	<u>Cost</u>
<i>Not Applicable (N/A)</i>		\$0.00
<b>TOTAL CONSTRUCTION</b>		<b>\$0.00</b>

**G. Consultants/Contracts--** Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisitions.

**Consultant Fee:** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$650 per day require additional justification and prior approval from OJP.

<u>Name of Consultant</u>	<u>Service Provided</u>	<u>Computation</u>	<u>Cost</u>
<i>Not Applicable (N/A)</i>			\$0.00
<b><u>Consultant Expenses</u></b>			
	<u>Item</u>	<u>Location</u>	<u>Computation</u>
			\$0.00
<b><u>Contracts</u></b>			
	<u>Item</u>		<u>Cost</u>
			\$0.00
<b>Budget Narrative:</b>			
<b>TOTAL</b>			<b>\$0.00</b>
<b>CONSULTANTS/CONTRACTS</b>			

**H. Other Costs--** List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot rent, and provide a monthly rental cost and how many months to rent.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
<b>Budget Narrative:</b>		
	<b>TOTAL OTHER COSTS</b>	<b>\$0.00</b>

**I. Indirect Cost**--Indirect costs are allowed only if the applicant has Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
<i>Not Applicable (N/A)</i>		
	<b>TOTAL INDIRECT COST</b>	<b>\$0.00</b>

**TOTAL FEDERAL REQUEST** **\$0.00**