

FY 2024 Byrne JAG Program

PROJECT PROPOSAL GUIDE

Eligibility:

Proposals may be submitted by any established non-profit organizations, faith-based organizations, law enforcement, criminal justice, victim services, and substance abuse public agencies that are consistent with the approved BJA programs identified in the Revised October 2023 FY 2019-2022 Strategy.

Note: The Revised October 2023 FY 2019-2022 Strategy remains effective until such time as the new 2025-2029 Strategy is in place.

Proposal Deadline:

All applications are due by NLT
5:00 p.m. Friday, April 11, 2025



Bureau of Statistics and Plans
Hagåtña, Guam 96932
Telephone No.: (671) 472-4201/2/3
Facsimile No.: (671) 477-1812
www.bsp.guam.gov

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OVERVIEW

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides states and units of local governments with critical funding necessary to support a range of program areas including law enforcement, prosecution and court programs, prevention and education programs, corrections and community corrections, drug treatment and enforcement, crime victim and witness initiatives, planning, evaluation, and technology improvement programs.

The Byrne Justice Assistance Grant (JAG) program is designed to support all components of the criminal justice system, from multi-jurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment and justice information sharing initiatives. JAG funded projects may address crime through the provision of services directly to individuals and or communities and by improving the effectiveness and efficiency of criminal justice systems, processes and procedures.

The priorities and programs identified in the Guam Revised October 2023 FY 2019 - 2022 Strategy for Drug Control, Violent Crime and Criminal Justice Systems Improvement remains effective until such time as the new FY 2025-2029 Strategy is in place. The following Priority Areas are:

Law Enforcement Priority

- Multijurisdictional Drug Task Force Programs
- Sexual Assault and Violent Crime Program
- Sexual Assault Prosecutions Program
- Prison Rape Elimination Act (PREA) Program

Corrections and Community Corrections Priority

- Reentry Program

Treatment and Rehabilitation Priority

- Correctional Treatment and Rehabilitative Program
- Therapeutic community or Aftercare and or Continued Care Programs

Planning, Evaluation & Technology Improvement Priority

- Criminal Justice Systems Improvement Program
- Video Conferencing Technology
- National Incident-Based Reporting System (NIBRS) Compliance

Prevention and Education Priority

- Criminal Justice System Prevention & Education Program

JAG PROGRAM AREAS

JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, as well as criminal justice-related research and evaluation activities that will improve or enhance:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Sexual assault and violent crime programs

PROJECT PROPOSAL DEADLINE

Each project proposal for the FY 2024 Byrne JAG Program Narrative must be submitted to the Bureau of Statistics and Plans **by no later than Friday, April 11, 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.

Submit Applications to: Bureau of Statistics and Plans
P.O. Box 2950
Hagåtña, Guam 96932

Contact Information: If you have any questions, please contact Millie Erguiza, Senior Planner, at (671) 475-6974 or at millie.erguiza@bsp.guam.gov.

Eligibility: Applicants are limited to state government agencies, faith-based organizations and nonprofit organizations and applications related to criminal justice functions and support.

Grant Amount: The total pass-through amount under the FY 2024 Edward Byrne Memorial Justice Assistance Grant Program is \$583,834. The maximum amount that may be requested for a project is based on the approved budget for the following program priority areas:

FY 2024 JAG PRIORITY AND PROGRAMS	FUNDING LEVEL
Law Enforcement Priority <ul style="list-style-type: none">▪ Multijurisdictional Drug Task Forces Program▪ Sexual Assault and Violent Crime Programs▪ Sexual Assault Prosecution Program▪ Prison Rape Elimination Act (PREA) Program	\$223,834.00
Corrections and Community Corrections Priority <ul style="list-style-type: none">▪ Reentry Program	\$30,000.00
Treatment and Rehabilitation Priority <ul style="list-style-type: none">▪ Correctional Treatment and Rehabilitative Program▪ Recovery Oriented Systems of Care Program for Substance Abuse Offenders	\$100,000.00

FY 2024 JAG PRIORITY AND PROGRAMS	FUNDING LEVEL
Planning, Evaluation & Technology Improvement Priority <ul style="list-style-type: none"> ▪ Criminal Justice Systems Improvement Program ▪ National Incident-Based Reporting System (NBRIS) ▪ Video Conferencing Technology 	\$200,000.00
Prevention and Education Priority <ul style="list-style-type: none"> ▪ Criminal Justice System Prevention & Education Program 	\$30,000.00

Match Requirement: There is no match requirement for these funds.

Length of Support: The grant period for projects awarded under these solicitations will be for 12 months of funding. The FY 2024 will expire on 09/30/2027. The Bureau will only request to the Bureau of Justice Assistance (BJA) 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). BJA will not consider procurement issues as a justification for the inability of implementing or expending project funds given the fact that subrecipients are given one-year to expend project funds and to work with GSA on any procurement challenges.

Should your project proposal be selected, and following the completion of the project accounts establishment, it is imperative that Project and Fiscal Managers implement and accomplish project activities in a timely manner within the award period. Following 90-days after the project establishment, the Bureau reserves the right to deobligate a project that has not shown any effort to implement project activities. Recipients should plan to assume the costs of successful projects when grant funds are no longer available.

Evidence Based Practices: Applicants are encouraged to submit applications that are evidence-based programs and or practices and or data driven strategies.

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.

Restrictions: Grant funds must not be used to supplant federal, state or local funds that otherwise would be available for the same purposes. Other restrictions specified in the federal guidelines governing this program such as the most current Financial Guide and the 2 C.F.R Part 200 apply

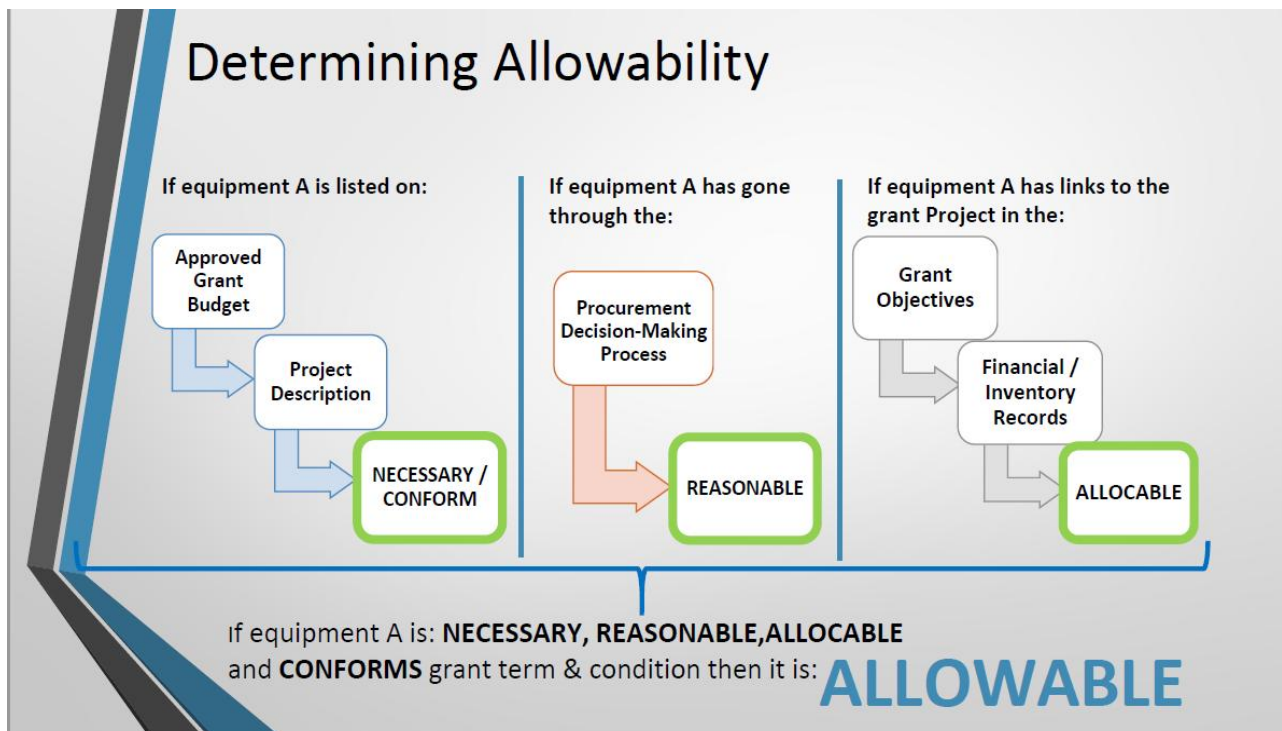
and will be included in the special conditions attached to the grants award. Grant funds will not be awarded for projects for which other funding may be available.

PROHIBITED USES

No JAG funds may be expended outside of the JAG purpose areas. Even within the purpose areas, however, JAG funds may not be used directly or indirectly for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Nor may JAG funds be used directly or indirectly to provide for any of the following matters unless BJA certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:

- Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters) – for further information refer to the BJA Controlled and Prohibited Equipment List
- Luxury items
- Real estate
- Construction projects
- And other unallowable or prohibited uses as indicated in 2 C.F.R. § 200.1 (Definitions - Disallowed Costs) and Standard unallowable costs are identified in 2 C.F.R. § 200, Subpart E - Cost Principles).

Equipment: 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.



QUARTERLY FINANCIAL AND PROGRAMMATIC REPORTING

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

Programmatic Reporting Periods	Due Dates
October- December	January 15
January- March	April 15
April-June	July 15
July-September	October 15

Financial Reporting Periods	Due Dates
October- December	January 30
January- March	April 15
April-June	July 15
July-September	October 30

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 JAG recipients should be aware that BJA has made changes to the JAG 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 B).

Submission of performance measures data is not required under this proposal request; however, applicants should discuss in their application their proposed methods for collecting data to comply with the requirements established by the Government Performance and Results Act Modernization Act.

REPORTING FRAUD, WASTE, ABUSE AND MISCONDUCT

Each grantee or subgrantee who is awarded funds under the 2024 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

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 <https://oig.justice.gov/hotline>

FY 2024 JAG PROPOSED PROGRAM GOALS AND REQUIREMENTS

Proposed Program	Goals	Requirements
<p style="text-align: center;">1 Multijurisdictional Drug Task Force Program</p>	<p>Interdict illegal drugs at our ports of entry, to reduce the availability and use of illegal drugs and money laundering activities on Guam through collaborative investigations with State and Federal agencies in order to apprehend, arrest, and convict individuals, and to seize assets acquired as a result of controlled substance violations.</p>	<p>Operational agreements between the agencies (federal and local) participating in the drug task force. Specify the working relationship among the agencies and clarify commitments of each agency. Key elements that the agreement should address are: 1) identification of the participating agencies and the designated contact person in each agency; 2) identification of the roles and responsibilities of the agencies; and 3) information describing how the agencies will work with each of the other participating agencies.</p> <p>Provide the position titles of the personnel assigned to the taskforce in the project proposal and the certificates of completion with the Center for Task Force Leadership and Integrity (CTFLI) within 120-days of project award. Project must include the average number of drug violations and drug arrest over a five-year period (current); and include the average number of task force drug cases investigated, arrests made, and conviction over a five-year period (current), asset seizures</p>

Proposed Program	Goals	Requirements
		and forfeitures, and any other data that may be required.
<p style="text-align: center;">2 Forensic Medical Examination of Sexual Assault Program</p>	<p>Improve the collection of evidence in sexual assault cases that will assist with the successful prosecution of criminal sexual assault cases; and to ensure that survivors of sexual assault are provided with the necessary support/resources to report and participate in the investigation and prosecution of criminal sexual conduct cases.</p>	<p>Project description must focus on the collection of forensic evidence in sexual assault cases.</p> <p>Project must include the average number of forensic exams conducted by sex, age (0-15, 16-50, 51+) by exam type over a five-year period (current) and any other data that may be required.</p>
<p style="text-align: center;">3 Sexual Assault Prosecution Program</p>	<p>Prosecute sexual assault cases and convict the offender; and to prosecute sex offenders who fail to update and verify their information on the registry.</p>	<p>Provide the position title(s) of the personnel funded under the project proposal and description of job duties/responsibilities. Project must include the average number of sexual assault cases received, processed and convicted over a five-year period (current); the average number of sex offender (non-compliant) cases referred for failing to comply with the Sex Offender Registry requirements and the number of non-compliant cases prosecuted; the number of local prosecutors assigned to prosecute rape cases and non-compliant registered sex offender's local prosecutors.</p> <p>Project must show collaboration with Healing Hearts Crisis Center on the forensic evidence.</p>
<p style="text-align: center;">4 Prison Rape Elimination Act (PREA) Program</p>	<p>To eliminate sexual abuse in correctional and juvenile confinement facilities by setting standards for the physical space and for the training, assignment, and conduct of personnel in the facility.</p>	<p>Implementation of the PREA Coordinator positions at DOC and DYA; conduct of the PREA Audits to meet compliance with the Audit Cycles and results of the standards meet; General Orders, Directives and or Policy(s) developed to meet compliance with the PREA Standards and Audit Findings; MOUs with stakeholders, affiliated service providers and or contractors regarding PREA requirements; PREA Learning Management Systems to increase knowledge and for capability building; surveillance</p>

Proposed Program	Goals	Requirements
		camera systems with the purchase, installation, maintenance of existing and new systems to monitor blind spots or isolated area and to enhance the levels of staffing and security within DOC's and DYA's facilities; and Guam's PREA Status in meeting compliance with the PREA
<p style="text-align: center;">5 Recovery Oriented Systems of Care Program for Substance Abuse Offenders</p>	<p>The purpose of this program is to prevent further penetration into Guam's criminal justice system by providing a continuum of care for the adult offenders who have completed the Residential Substance Abuse Treatment Program and released from prison based on the level of care needed, and to link them with the services and supports needed to sustain their recovery as well as providing a continuum of care for the adult offenders with substance abuse problems and released from prison.</p>	<p>Interagency memorandum of understanding in place with the network agencies.</p> <p>Number of assessments completed; Drug testing results; number of participants in the ROSC program; number of participants provided referrals services and type of services provided; number of participants that have been successful in the program to become productive citizens in the community and maintained a healthy lifestyle one year after they have participated in the Program.</p> <p>Feedback on the outcome of the services provided for the participants.</p>
<p style="text-align: center;">6 Correctional Treatment and Rehabilitative Program</p>	<p>Provide substance abuse treatment, domestic and family violence treatment, sex offender treatment, and terrorizing and assault treatment to adult offenders to reduce the recidivism rate upon release and to maintain a healthy lifestyle.</p>	<p>Project description must include: Treatment program, including offender's daily schedule. Criteria for successful and unsuccessful program completion.</p>
<p style="text-align: center;">7 Criminal Justice Records Improvement Program</p>	<p>Make systematic improvement in the quality, timeliness, and accuracy of Guam criminal history records to facilitate integration of information technology in the criminal justice system and to share information across systems</p>	<p>Projects will be given priority based on goals to integrate and query data (offenders) through the Message Switch via the Police (Arrests), Prosecution (Prosecution Status), Courts (Disposition), and Correction (Correctional Status) systems; and to allow for information sharing with state and federal law enforcement entities (NCIC, AEGIS, ACMIS, CJIS, NIBRS and PCMIS).</p>

Proposed Program	Goals	Requirements
<p style="text-align: center;">8 Video Conferencing Technology</p>	<p>To provide a method for Guam’s criminal justice and law enforcement entities to virtually connect for court hearings; to consult with clients at the correctional facility and or detention facility; and to promote public safety.</p>	<p>Gradual development or upgrade of video conferencing technology use with Guam’s Criminal Justice Agencies for remote court hearings, criminal cases, case management conferences, expert testimony, legal consultation, overseas or remote witnesses, implementation such as hardware, software, internet connection.</p>
<p style="text-align: center;">9 Criminal Justice System Prevention & Education Program</p>	<p>To develop a criminal justice education campaign program that will target school-based students to educate on the negative consequences of having a juvenile or prison record. The program is designed to deter and effect a positive impact on deterring the use of alcohol, drugs, and involvement in other risky behaviors among participants leading to a criminal justice record.</p>	<p>Development of comprehensive or multi-disciplinary network of criminal justice agencies and community services stakeholders; performance of needs assessment (identify risk and protective factors); development and implementation of Criminal Justice System Prevention and Education Program; development of a core of juvenile or adult offenders to promote successful integration by providing support, advocacy, and a way to be meaningfully accountable; number of prevention and education campaigns or outreach conducted in the schools, community events, print/media campaigns; number of participants; number of stakeholder participation; types of intervention services, referrals or programs provided to youths; Data capture to support outcome.</p>
<p style="text-align: center;">10 Reentry Program</p>	<p>To develop comprehensive and collaborative strategies to address reentry challenges for people who are assessed as having a medium to high risk of recidivism in the effort to improve inmates’ transition back to the community.</p>	<p>Development of Reentry Task Force/Committee; development of evidence-base intervention and services program; number of program staff (case workers) hired in DOC; type of training and number of staff trained; MOU with network partners; development of tailored pre- and post-release; data-capture to support outcome.</p>

FY 2024 JAG 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) goals are clearly defined
- c) objectives are specific and measurable
- d) activities demonstrate how objectives will be accomplished
- e) schedule and timeline are included
- f) defines the agency(s) and personnel that will manage and work on the project
- g) performance indicators/outcome measures are linked to the goals/ objectives
- h) there is probability that the project can improve the criminal justice system

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: 2024 JAG 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 that the project falls under (Refer to Appendix A).
- C. **Project Title:** Enter a brief descriptive title.
- D. **Grantee Name:** Enter the name of the agency.
- E. **JAG Program Area:** Identify the authorized JAG program area this project falls under (select one). The JAG Program Areas are as follows:
- Law enforcement programs.
 - Prosecution and court programs.
 - Prevention and education programs.
 - Corrections and community corrections programs.
 - Drug treatment and enforcement programs.
 - Planning, evaluation, and technology improvement programs.
- F. **Applicant Address:** Enter the full mailing and physical address.
- G. **Applicant Agency UEI Number:** All applicants under the 2024 Byrne Justice Assistance Grant 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, 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 limited to twelve (12) months but 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 for purposes of checks and balances.

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.
- 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.

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, 2026.	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, 2026 and December 31, 2026.

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 and requirements on pages 7 - 10 and the new JAG Performance Measures (Refer to Appendix B), you will need to include Guam's performance measures (Refer to Strategic Plan at bsp.guam.gov/) and 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 Data 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 C).

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.

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 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 2024 salary table for SES employees is available on the U.S. Office of Personnel Management’s 2024 Executive and Senior Level Employee Pay Tables web page at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2024/executive-senior-level>.

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.

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.

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.

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.

Consultant Rates

Please refer to [Ch. 3.6 \(Prior Approval\)](#) 2024 DOJ Financial Guide, Consultant Rates, for a more complete discussion of the requirements and restrictions for these costs.

Conferences and Workshops

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).

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. See 2 C.F.R. 200.465(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.

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](#) (2024 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](#) (2024 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](#) 2024 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 2024 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\(b\)\(4\)](#). Please 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(h).

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.

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);
- 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.

APPENDIX A: PROPOSED JAG PROGRAMS

FY 2024 Justice Assistance Grant Proposed Program Priority
For Guam's Revised October 2023 FY 2019- 2022 Drug Control, Violent Crime, and Criminal
Justice Systems Improvement Strategy

(To view the Revised October 2023 FY 2019- 2022 Strategy, refer to <https://bsp.guam.gov/>
under the Socio-Economic Planning, Edward Byrne Justice Assistance Grant (JAG) Program)

Law Enforcement Priority

Multijurisdictional Drug Task Forces

Purpose Area: Law Enforcement Programs

Description of the Program:

This program calls for integrating Federal and local drug law enforcement and prosecution to enhance interagency coordination among the task forces; to facilitate multi-jurisdictional investigations to facilitate the curtailment of narcotics interdiction and money laundering activities on Guam through the apprehension, arrest, and conviction of individuals smuggling narcotics into Guam, and the seizure of assets acquired as a result of a controlled substance violation. In order to proactively interdict the narcotics distribution system and to seize assets gained through the sale of narcotics, there is need to continue to utilize interagency, multi-disciplinary task forces; to fund prosecutors to prosecute drug cases; and to increase the drug detector canine detection teams to detect narcotics.

Brief Analysis of the Need of the Program:

The growing availability and abuse of crystal methamphetamine or “ice” as well as other illegal drugs, to include the emerging opioid abuse, has been directly related to Guam’s growing crime rates. As such, it necessitates the pursuit of strong components to prevent controlled illicit substances from entering Guam, to detect and remove them from the streets, and to vigorously prosecute the drug traffickers. A need exists to ensure Guam’s drug task forces have the necessary resources to interdict illegal drugs on Guam and the available training to keep up with the latest trends and technology. The following are drug seizures reported from progress reports from the Task Forces funded under the Byrne JAG Program.

Drug Type	CY 2021		CY 2022		CY 2023	
	Quantity in gram	Value	Quantity in gram	Value	Quantity in gram	Value
Methamphetamine	89669.39	\$17,929,030.00	19213.68	\$3,098,207.50	7570.29	\$1,271,208.00
Marijuana Grams	11145.86	\$378,549.20	4153.00	\$83,060.00	17400.30	\$177,276.00
Cocaine	3148.80	\$365,060.00	171.60	\$31,000.00	18464.40	\$3,697,400.00
Oxycodone	153.10	\$15,310.00	0.00	\$0.00	63 pills	\$630.00
Fentanyl	0.00	\$0.00	90.10	\$18,020.00	0.00	0.00
Prescription Medications	1565.31	\$0.00	251.70	\$25,190.00	66160.00	\$2,976,120.00
TOTAL	105682.46	\$18,687,949.20	23880.08	\$3,255,477.50	43,434.99	\$8,122,120.00

Notes:

1) Oxycodone in 2023 reported in tablet form

Drug data is compiled from Progress Reports submitted by Drug Task Forces funded under the Eward Byrne Justice Assistance Grant Program. Drug Task Forces are Narcotics Interdiction & Asset Seizing Task Force, Homeland Security Investigation/US Customs Enforcement & Immigration Task Force and the Street Violent Crimes Task Force

From 2022 to 2023, Guam experienced an increase in reported seizures of marijuana, cocaine and prescription medications. Although seizures for methamphetamine decreased in CY 2023,

“ice” continues to be the drug of choice on Guam. Task Force activity increased in interdiction efforts, arrests, investigations and the dismantling of known drug organizations on island.

Program Goal:

The goal of the multi-jurisdictional task force programs is to integrate Federal and State law enforcement agencies for the purpose of enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations in narcotics interdiction, asset seizing, prosecution, conviction and apprehension of individuals smuggling narcotics into Guam.

Objectives and Actions:

- Combat the threat, incidence, and prevalence of violent drug crime by leveraging strategic partnerships to investigate, arrest, and prosecute drug offenders and illegal firearms traffickers.
 - Establish and maintain an intergovernmental agreement between participating task force agencies.
- Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of illicit drugs.
 - Intercept drugs, drug proceeds, and associated instruments of violence at sea and airports of entry, within territorial coastal waters and through international mail routes before they enter Guam’s drug distribution networks.
 - Increase the number of surveillance activities or suspected narcotics dealers, couriers, etc.
 - Enhance intelligence and information sharing capabilities and processes.
 - Increase the number of drug detector dogs, dog handlers and canine teams.
 - Ensure the prosecution of all significant drug trafficking, money laundering, and weapons trafficking/smuggling cases.
 - Strengthen communities and reduce the demand for drugs.
- To ensure that Task Force personnel possess the expertise in drug detection, apprehension, prosecution and to ensure operating procedures are adhered to so that effective operations are accomplished.
 - Determine types of specialized training in drug detection, apprehension, interdictions and prosecution
 - Obtain specialized training in drug detection, apprehension, interdiction and prosecution.
 - Enhance counterdrug technologies for drug detection and interdiction.

Guam’s Performance Measure:

- The number of enforcement operations conducted by the task forces.
- Number of drug arrests by drug type.
- Quantity of drugs seized by drug type and the value of drugs seized (in grams).
- Number of drug cases initiated.
- Number of drug cases closed.
- Number of drug trafficking organizations investigated and penetrated (identify the level of the

drug trafficking organization by street, low, mid, high and the ethnicity of the organization).

- Number of weapons and explosives seized (identify the type of weapon).
- Number of drug offenders prosecuted at the state level with conviction.
- Number of drug offenders prosecuted at the federal level with conviction.
- Number of offenders prosecuted for firearm violation at the state level with conviction.
- Number of offenders prosecuted for firearm violation at the federal level with conviction.
- Number of asset seizures and total value of funds and asset forfeited.
- Number of law enforcement officers, prosecutors trained during the reporting period (list training attended and the cost of each training).
- Number of canine detection dogs, dog handlers and canine teams implemented.
- Number of enforcement assistance provided upon requests from local and federal law enforcement entities as well as communities.

Sexual Assault and Violent Crime Programs

Purpose Area: Law Enforcement Programs

Description of the Program:

The Healing Hearts Crisis Center (HHCC) is Guam's only rape crisis center that provides comprehensive forensic medical examination on child and adult sexual assault victims to collect forensic evidence. The intent of the center is to provide survivors of sexual assault with "discrete, immediate, and full medical attention". To ensure the successful prosecution of perpetrators of sexual assault on children and adults, the collection of forensic evidence is critical to begin the healing process for victims.

Brief Analysis of the Need of the Program and Proposed Program Activities:

A growing concern on Guam is sexual assault cases involving minors. This is significant as Guam's only rape crisis center serviced 52 sexual assault victims between the ages of 0 to 15 years of age in 2022. Overall, in 2022, HHCC serviced a total of 84 victims of sexual assault, 74 were female victims and 10 were male victims. Of the total, 52 sexual assault victims were between the ages of 0 to 15 years of age and 32 between the ages of 16 to 50 years of age. In 2022, HHCC experienced a 24% increase in the number of victims served as compared to 68 in 2021.

Responding to victims of sexual assault requires a coordinated community effort. Local data continues to show the magnitude of this problem on Guam. According to the Guam Police Department's 2021 Uniform Crime Report, on average a total of 147 Criminal Sexual Conduct offenses are reported in the past 5 years (five-year trend beginning 2017-2021). The Healing Hearts Crisis Center leads Guam's Sexual Assault Response Team (SART) which incorporates governmental and nonprofit agencies who provide services to victims of sexual assault and abuse. HHCC works closely with the Guam Police Department, Child Protective Services, Advocacy agencies such as Victim Advocates Reaching Out (VARO) to provide a full continuum of care to victims, to include the Office of the Attorney General for the prosecution of perpetrators charged with a sexual assault offense.

Program Goals:

The goals of sexual assault and violent crime programs are to provide comprehensive forensic medical examination services to victims of sexual assault and to improve the investigation and prosecution of child and adult sexual assault cases.

Objectives and Actions:

- Continue to improve policy, protocol and training with Guam Police Department, Department of Law, Child Protective Services, advocacy groups and Healing Hearts response to domestic and family violence with emphasis on child sexual assault victims.
 - Maintain and update Memorandum of Understanding regarding policy and protocol with respective sexual assault response agencies in handling sexual assault cases to minimize

additional trauma during the investigation process and delivery of medical care, especially to children.

- Ensure all children referred to Healing Hearts for allegations of sexual assault/abuse will receive forensic medical legal examination with video colposcope to minimize additional anxiety/trauma sustained while collecting forensic evidence.
 - Hire of a Family Practitioner who will serve as the medical director and consultant for child rape cases and oversee the medical-legal examination performed by forensic nurses.
 - Install and ensure and update standard operating procedures for video colposcope and all essential equipment and supplies to facilitate improved forensic evidence gathering and delivery of services.
- Acquire certification of staff forensic nurse and physician to perform medical-legal examinations on children and adults and to utilize the video colposcope on a yearly basis.
 - Provide training to family practitioner and forensic nurse at Healing Hearts to perform medical-legal examinations on children, adults and to certify them to use the video colposcope.
- Ensure the successful prosecution of sexual assault on children and adults and related crimes through the hire of an experienced Sexual Assault Prosecutor with the Office of the Attorney General.
 - Hire an experienced Sexual Assault Prosecutor to present the state's case against the accused and to establish that the accused is guilty of allegedly committing the sexual assault.

Guam's Performance Measures:

- Number of victims referred to Healing Hearts for medical legal examinations broken down by age group and sex.
- Number of forensic examinations conducted on the victims broken down by age group and sex.
- Number of forensic examinations conducted on the victims using the video colposcope broken down by age group and sex.
- Number of staff on hand to provide and collect forensic evidence.
- Number of specialized trainings by staff in the collection of forensic evidence.
- Hire of a Family Practitioner and Sexual Assault Prosecutor.
- SOP for video colposcope and all essential equipment and supplies to facilitate improved forensic evidence gathering and delivery of services.
- Number of child and adult sexual assault cases that go to trial.
- Number of successful child and adult sexual assault cases prosecuted.

Sexual Assault Prosecution Program

Purpose Area: Prosecution and Court Program

Description of the Program:

The purpose of this program is to increase the operational effectiveness of the Office of the Attorney General by providing resources to prosecute sexual assault cases and non-compliant sex offenders.

Brief Analysis of the Need of the Program and Proposed Program Activities:

Sexual assault crimes continue to be a major community and criminal justice issue on Guam. There is a need to fund prosecutors to prosecute the growing number of sexual assault cases and to prosecute sex offenders who failed to update and verify the information on Guam’s sex offender registry. The following table is the Criminal Sexual Conduct Prosecution Data from the Office of the Attorney General under the Sexual Assault and Violent Crimes Prosecution Project. Of the number of cases accepted for prosecution in CY 2023, 85% of the cases were tried in court with 7 cases or 20% guilty as charged or of a lesser charge in the same or lower category.

CRIMINAL SEXUAL CONDUCT - PROSECUTION DATA		
Category	CY 2022	CY 2023
Criminal Sexual Conduct Cases Received from Guam Police	49	34
Types of Cases Filed		
▪ Felony	45	26
▪ Misdemeanor	2	5
Number of Cases Accepted for Prosecution	39	34
Number of Cases Declined	0	0
Transferred to higher or lower court that is outside OAG jurisdiction	0	0
Types of Criminal Sexual Conduct Convictions		
▪ Cases Dismissed	6	4
▪ Deferred Adjudications	2	3
▪ Plead As Charged	7	8
▪ Plead To Lesser Charge in Same Category	1	5
▪ Guilty As Charged	4	4
▪ Guilty Of A Lesser Charge (In Same Category)	1	1
▪ Guilty of A Lesser Charge (In Lower Category)	0	2
▪ Acquitted	0	2
<p>Note: It should be noted that not all criminal sexual conduct felony and misdemeanor cases are derived from the period completed. For various reasons, cases from prior months and years are processed as scheduled by the courts and may conclude months or even years from the first opening/filing of the case. Source: Sexual Assault and Violent Crimes Prosecution Project</p>		

The Sex Offender Registry Office, Judiciary of Guam, reports 1,179 registered offenders and 1,259 offender cases by the end of 2023. The table below illustrates the concerning growth in sex offender cases and registered sex offenders over the past 5 years.



Guam law organizes offenders based on a three-tier level, with Level 1 being the most severe and Level 3 being the least severe. Of the 1,179 convicted sex offenders, the following breakdown represents their levels of classification.

Level of Offender	Number of Offenders
Tier III Offender (Level 1)	636
Tier II Offender (Level 2)	123
Tier II Offender (Level 3)	420
Total:	1,179

Program Goal:

The goal of this program is to prosecute sexual assault cases and convict the offender; and to prosecute sex offenders who fail to update and verify their information on the registry.

Objectives and Actions:

- Ensure the successful prosecution of sexual assault cases and related crimes through the hire of an experienced Sexual Assault Prosecutor with the Office of the Attorney General.
 - Hire an experienced Sexual Assault Prosecutor to present the state’s case against the accused and to establish that the accused is guilty of allegedly committing the sexual assault.

Guam's Performance Measures:

- Improve the investigation and prosecution of sexual assault cases
- Number of sexual cases prosecuted at the state level with conviction
- Number of sex offenders prosecuted for not complying with Guam's sex offender registry
- Resources implemented
- Report the change in the prosecution caseload of rape cases

Prison Rape Elimination Act (PREA) Program

Purpose Area: Law Enforcement Program

Description of the Program:

This program seeks to eliminate sexual abuse in correctional and juvenile confinement facilities by setting standards for the physical space and for the training, assignment, and conduct of personnel in the facility. All public and private prisons, jails, lock-ups, community corrections, and juvenile detention facilities must meet the PREA standards. A state is in compliance when prison facilities under its operational control meet the PREA standards.

Brief Analysis of the Need of the Program and Proposed Program Activities:

Guam is not in compliance with the PREA Standards. Guam completed Audit Year 1 of all the facilities under the operational control of the executive branch on September 20, 2020. The County of Los Angeles, Office of the Inspector General, conducted the PREA Audit beginning on September 05, 2020 to September 20, 2020. The Interim Audit Report was released the latter part of November 2020 due to Guam being in Pandemic Condition of Readiness 1 (PCOR 1).

The Interim Audit Report found DOC, with each of its three facilities, meeting less than 10 of 45 standards for adult correctional facilities and DYA meeting 15 of 43 standards specific to juvenile correctional facilities. Following the 180-days corrective action period, both DOC and DYA have submitted their corrective action plan. The final audit report for DOC was released on June 20, 2021 for all three of its audited facilities. The final audit report for DYA was released June 27, 2021. It is the intent of DOC to continue with employee training, prisoner education, and addressing the corrective action plan in regards to the PREA Audit Report. Additionally, DOC will continue efforts with training of staff, officers and volunteers and contractors, as well as addressing the need to conduct background checks of all involved in the facility. DYA will also continue to review their audit results to meet the corrective action plan and continue implementing PREA education/training programs with staff, youth, volunteers and contractors and establish MOUs with existing stakeholders to address gaps in investigation and victim services protocols.

PREA Reallocation Funds Programs have been used to support both DOC and DYA to continue to comply on a regular basis with PREA standards for adequate levels of staffing within its facility with the continued maintenance of surveillance camera systems for video monitoring of isolated areas to aid in the deterrence of any possible sexual assault or other criminal intent from occurring. Funds have also been used for training opportunities to enhance knowledge and capacity on PREA standards in order to prevent, detect and respond to prison rape in confinement facilities and for education and awareness through the reproduction of posters, flyers and brochures.

The FY 2022 Implementing the PREA Standards, Protecting People Who Are Incarcerated, and Safeguarding Communities Project provided the opportunity for the recruitment of PREA Program Coordinators to develop a comprehensive plan that will guide PREA-related activities in the day-to-day operations and cultures in terms of training, education and outreach programs to employees,

service providers/contractors and residents. In collaboration with the Training and Technical Assistance (TTA) coach, both DOC and DYA achieved a tremendous milestone with the PREA Management Office approving their individual Implementation/Action Plan and Implementation Task Plan and Timeline to be implemented with fidelity in future years with the goal of achieving full compliance with the PREA Standards and reducing and preventing sexual abuse within each facility.

Eliminating prison rape remains a high priority for the Governor of Guam and PREA implementation continues to progress within the Department of Corrections (DOC) and Department of Youth Affairs (DYA). Refresher training material have been developed and is currently ongoing for existing staff. First Responder Cards have been developed and will serve as a "quick reference guide" when an incident is reported. General PREA Informational Posters, Reporting Focused Posters, and Educational Flyers for Inmates have been redesigned/updated and are awaiting production and distribution once Refresher Training has been completed. PREA Screening has been evaluated and training material have been developed as a result. Forms flagged as "high risk" are now being properly filed and tracked by the PREA Coordinator. All data tracking is being organized and will be integrated with the newly implemented database software.

In light of Prison Rape Elimination Act of 2003 (P.L. 108-79) along with the sunset provisions of the Justice for All Reauthorization Act (JFARA) of 2016, Guam will use Byrne JAG Program funds on activities intended to help Guam's correctional and juvenile facilities achieve compliance with the PREA standards, including preparing for and conducting audits.

Program Goal:

The goal of this program is to facilitate jurisdictional compliance with the PREA Standards by providing support for coordinated interagency efforts to reduce and prevent sexual abuse in Guam's correctional and juvenile confinement facilities.

Objectives and Actions:

- Increase staff capacity for preventing sexual abuse with the recruitment of dedicated PREA Program Coordinators for DOC and DYA. The primary task of the PREA Program Coordinators is to develop a comprehensive plan that will guide PREA-related activities in terms of training, education and outreach programs to employees, service providers/contractors and residents. The PREA Coordinators will also work to develop a sustainability plan to ensure the strategies and activities outlined in the comprehensive plan continue to be implemented with fidelity in future years with the goal of achieving full compliance with the PREA Standards and reducing and preventing sexual abuse within each facility.
- Provide continued training to enhance understanding of the PREA Standards and increase staff capacity to better handle violations of the standards and promote integration of the PREA standards into the day-to-day operations and cultures of confinement. New admissions will be provided with culturally relevant information during intake that includes customary practices inconsistent with PREA sexual assault and sexual harassment policies. PREA posters, brochures and other education and prevention material will also be developed and made

available to residents in English, Chamorro and Chuukese to encourage a culture of “zero tolerance” of sexual abuse in all Guam confinement facilities.

- Enhance the levels of staffing and security within DOC’s and DYA’s facilities through the use of surveillance camera systems to aid in the monitoring of “blind spots” or isolated areas.

Guam’s Performance Measures:

- Implementation of the PREA Coordinator positions at DOC and DYA.
- Conduct of the PREA Audits to meet compliance with the Audit Cycles and results of the standards meet.
- List of General Orders, Directives and or Policy(s) developed to meet compliance with the PREA Standards and Audit Findings.
- Implementation of Action Plan and Task Plan and Timeline to include updates/revisions to guide PREA-related activities in the day-to-day operations and cultures in terms of training, staffing patterns, education and outreach programs to employees, service providers/contractors and residents.
- Implementation of Memorandum of Agreements with stakeholders, affiliated service providers and or contractors regarding PREA requirements governing correctional and juvenile facilities.
- Implementation of PREA Learning Management Systems to increase knowledge and for capability building.
- Implementation of computer systems with associated software to allow engagement online with PREA Learning Management Systems and other on-line training programs such as webinars, workshops and or conferences for designated PREA Coordinators, staff personnel, service providers, volunteers and contractors to increase knowledge and build staff capacity on PREA standards.
- Number of posters, flyers, brochures developed and disseminated to staff, personnel, service providers/contractors, inmates, youth in custody and during intake and training programs.
- Number and type of written and or translation services performed.
- Number of sexual assault(s) reported, type of services provided to the victim, coordination with victim service providers and outcome of the investigation.
- Implementation of surveillance camera systems with the purchase, installation, maintenance of existing and new systems to monitor blind spots or isolated area and to enhance the levels of staffing and security within DOC’s and DYA’s facilities
- Number of PREA meetings held (indicate dates of meetings held) and the outcome of the meetings. Provide the names of the individuals that attended the meetings and copies of minutes.
- Number of staff, personnel and or service providers/contractors trained on PREA Standards.
- Guam's PREA Status in meeting compliance with the PREA statutes.

Treatment and Rehabilitation Priority

Therapeutic Community or Aftercare and or Continued Care Programs

Purpose Areas: Drug Treatment and Enforcement Programs

Program Description:

The purpose of this program is to prevent further penetration into Guam's criminal justice system by providing a continuum of care for adult offenders who have completed the Residential Substance Abuse Treatment Program and released from prison based on the level of care needed, and to link them with the services and supports needed to sustain their recovery as well as providing a continuum of care for the adult offenders with substance abuse problems and released from prison.

Brief Analysis of the Need of the Program and Proposed Program Activities:

Adult offenders with substance abuse problems need constant support and attention to prevent relapse. Relapse can occur at any point in the recovery process. Individuals and families who have completed a treatment regimen will have been exposed to relapse prevention strategies. However, even with this knowledge, relapse can occur due to a myriad of biological, physiological, psychological, emotional, life circumstances, societal or peer pressure. An aftercare or continue care or recovery component is needed that is especially sensitive to the way in which shame and embarrassment can be attached to relapse, and must have services that are non-judgmental, welcoming, flexible, supportive, and easily accessible and available. These services can take the form of case/care management, outreach, drop-in centers, or informal and formal support networks. Treatment programs utilize self-help programs to provide recovery support. The primary focus for Continued Care programs is for providers to facilitate recovery plans and to further stability in patient lives.

The Guam Behavioral Health & Wellness Center and Alcohol Branch has taken the lead in implementing a transitional mechanism for adults who have completed the Residential Substance Abuse Treatment Program and been released from Corrections by linking them to established therapeutic community or Aftercare and or Continued Care Programs. The Program involves conducting an assessment two months prior to release. The assessment tool that will be used is the American Society of Addiction Medicine (ASAM) model. The assessment tool will determine the level of care needed for each RSAT client upon release.

Since the inception of the RSAT program there has been a total of 523 inmates who have entered the RSAT Program at DOC. Of this total, 446 (85%) have graduated from the program. Prior to RSAT, inmates with substance abuse problems had limited resources available. They received educational services, individual and group counseling, and were encouraged to participate in AA and NA groups. In part, because their addiction problems received minimal treatment, inmates had a high probability of recidivism, a problem that contributed to high rates of re-incarceration. Recidivism among inmates who completed earlier RSAT programs was estimated at 20% with the likelihood to increase to 30% with no continuing or continuity of care services to follow.

Beginning in 2010 thereafter, RSAT clients now have access to treatment services just prior to their release from prison and then receive aftercare services when they return to the community to reinforce positive behavior to ensure their continued success in remaining and leading substance free lives. The following is the table of RSAT clients from the 28th RSAT to the 31st RSAT Cycle who were referred to the Recovery Oriented System of Care (ROSC) Program for aftercare services.

Recovery Oriented Systems of Care (ROSC)				
Participant Data	RSAT Cycles			
	28	29	30	31
Clients Referred to ROSC	15	15	12	11
Clients Who Graduated from ROSC	7	11	4	8
Clients Who Did Not Complete ROSC*	8	4	8	3
*Reasons for non-completion: Parole violation; voluntary withdrawal (none parole sanction); death.				

Of the twenty-seven (27) clients referred to ROSC from the 29th and 30th RSAT Cycles, a total of 15 clients successfully completed the ROSC Program and twelve (12) clients who did not complete the 6-month Aftercare due to parole violations and voluntary withdrawal in CY 2023.

The program will require a case manager to coordinate recovery support services (short term housing, transportation, faith-based services, basic needs, case management, childcare, and vocational and educational services) with public and private organizations on Guam; and peer specialists to provide peer mentoring as they undergo the requirements of aftercare and or continuum of care.

Program Goals:

The goal of the program is to improve the access to substance abuse services for adults who completed the Residential Substance Abuse Treatment Program and for adults have been referred by their case manager to provide a continuum of care and support services so they do not re-offend, and to maintain a healthy lifestyle and become productive citizens of the community with the aim to reduce recidivism.

Objective and Action:

- Implement a Recovery Oriented Systems of Care Model to provide access to intensive aftercare sessions, peer mentoring, and community support and other social service needs to adults who completed a Residential Substance Abuse Treatment and to adults incarcerated at one time who have a substance abuse issue and referred by a case manager.
 - Ensure collaboration with the Guam Behavioral Health & Wellness Center and Alcohol Branch, the Department of Corrections, the Department of Corrections Parole Services, the Judiciary of Guam Probation Division, the Department of Labor One Stop Career Center, the Guam Housing and Urban Renewal, the Department of Public Health & Social

Services, Faith-Based organizations and Nonprofit organizations to improve access for continued care services for adults who complete the Residential Substance Abuse Treatment Program and non-RSAT clients.

- Ensure experienced certified counselors to train peer specialists on reading ASAM results, progress notes, and treatment/recovery plans and other appropriate strategies to assist clients achieve treatment/recovery plans.
- Peer Specialist will provide 24/7 role modeling, self-help group support, and peer mentoring throughout the continued care and recovery process. In addition, assist clients develop and strengthen relapse prevention skills through self-efficacy and help build problem solving skills and assist with support services to housing, transportation, employment, access to healthcare, etc.
- Provide random drug testing, maintain program data, and consumer satisfaction surveys. Surveys will request clients to provide feedback on the services received.

Guam's Performance Measures:

- Interagency memorandum of understanding in place with the network agencies.
- Number of assessments completed.
- Drug testing results.
- Number of participants in the ROSC program.
- Number of participants provided referral services and type of services provided.
- Number of participants that have been successful in the program to become productive citizens in the community and maintain a healthy lifestyle one year after they have participated in the program.
- Feedback on the outcome of the services provided to the participants.

Correctional Treatment and Rehabilitation

Purpose Areas: Drug Treatment and Enforcement Programs

Program Description:

The purpose of this program is to provide intensive treatment and rehabilitation services to clients in the Department of Correction (DOC) with serious drug, domestic and family and sexual assault violence problems. Clients are provided with a variety of treatment services such as clinical assessment of inmates' needs and problem areas and planning of interventions and treatment goals to achieve while incarcerated to help prepare them to lead productive lives following release from prison. Following release from prison, strong community partners will help clients transition back to their families and community with continued treatment services, counseling, social services, employment and other services. The Department of Corrections will look to increase treatment providers and community partners in providing the intensive treatment and rehabilitation services needed and will ensure staff continue to increase and enhance skills through specialized training programs.

Brief Analysis of the Need of the Program and Proposed Program Activities:

Guam has only one adult correctional facility. The facility is overpopulated with felony offenders, which include drug offenders, sex offenders and murderers, and holds a large misdemeanor offender population. Of the violent commitment offenses, criminal homicide and criminal sexual conduct are the two leading offenses of incarcerated inmates at DOC. In 2023, the daily average prison population was 802, of which a total of 333 are adjudicated inmates and 421 for detainees and federal holds. Of the total population, 5,729 offenses are recorded for every prisoner held. Of the total offenses, 869 were for violent offenses and 4,860 were for non-violent commitment offenses, drug abuse, against family and children, DUI, and Superior Court or Parole revocations by the Guam Parole Board recorded for most of these offenses.

The trafficking and abuse of drugs within the facility is an ongoing problem that is now growing even more rapidly. The demand for illicit drugs is fueled by psychological and physiological addictions the drugs cause. In order for drug control efforts to be successful, demand must be eliminated through substance abuse treatment for adult drug dependent offenders. Although the Department of Corrections provides substance abuse assessments and treatment to prisoners, it is limited in the number of trained staff to meet the overall needs of the general population. Although interest in the Residential Substance Abuse Treatment Program increases for every RSAT Cycle, the program is limited to less than 18 participants due to space limitations and available bed space capacity and further challenged with available treatment providers and security personnel.

There is a need to provide domestic and family violence treatment to offenders while they are incarcerated, on probation, and on parole to ensure that their tendency to commit domestic and family violence against a family member or a person is minimized. In addition, a strong need also exists to provide treatment and services to domestic and family violence offenders immediately after they are released from prison.

A gap in service continues to exist with respect to an absence of specialized treatment for convicted sexual offenders. A need exists to provide treatment programs to sex offenders in order to reduce the incidence of sexual re-offense. Sexual assault is not a disease that can be cured. It can, however, be contained and managed through treatment. Specialized treatment in many states involves stringent credentialing criteria for practitioners, requiring documented and current training in specific areas to include sex offender evaluation and assessment, offender typologies, victim issues, treatment techniques/methods; and a minimum number of hours of clinical experience with the sex offender. The Department of Corrections with the more serious sex offenders who are incarcerated will need to address trained staff to provide these specialized treatment services. The Guam Behavioral Health and Wellness Center also does not have the trained staff to provide treatment for this segment of the population.

Pursuant to Executive Order 2020-21, GBHWC is the cognizant lead for all mental health, alcohol and drug programs and services on island. GBHWC is accredited by the Commission on Accreditation of Rehabilitation Facilities ("CARP"), which sets out certain standards for delivering programs designed to serve those involved in the criminal justice system. In addressing inpatient and outpatient mental health, alcohol and drug concerns, the need for credentialed practitioners is critical to the prevention of recidivism and relapse, and to encourage successful reintegration into the community.

Program Goals:

The goal of this program is to provide specialized treatment and rehabilitation services to adult offenders with serious drug, domestic and family and sexual assault violence to enable them to attain a lifestyle free of abuse, and upon release, maintain that lifestyle through strong community support programs to help with treatment needs, parenting classes, relationship classes, structured visits, education, employment and other services.

Objectives and Actions:

- Contract subject matter experts to assist with providing pre-release programs to help address the criminogenic needs of offenders who are assessed as medium to high risk for recidivism at the Department of Corrections. Subject matter expert providers are certified in Cognitive Behavioral Interventions for Offenders – A Comprehensive Curriculum (CBI-CC), Moral Reconciliation Therapy (MRT) and MRT-Domestic Violence and the Matrix Model for Criminal Justice (Matrix CJ) Settings to provide programs within DOC prior to release to reduce criminogenic risk behaviors and encourage healthy lifestyles. The CBI-CC, MRT/MRT-DV and Matrix CJ are all evidence-based programs proven to reduce offender risk, which in turn reduces new crime and improves public safety.
 - Type of Cognitive Behavioral Interventions implemented and tracking of participants enrolled in the programs.
 - Type of training and number of staff trained on Cognitive Behavioral Interventions programs to build capacity.
 - Memorandum of Understanding with agencies and support organizations for access to support services including the treatment of mental illnesses and substance use disorders and assistance with housing, education, employment and other services.

- Development of pre- and post-program survey to be conducted prior to entry and upon completion or exit from the program to measure changes in the participant as a result of the program. Additionally, survey participants who completed conditions of supervised release to track long term outcomes to measure the goal of reducing criminogenic risk behaviors and adoption of a healthy lifestyle.
- To reduce substance abuse and recidivism among eligible adult substance abusing offenders through drug testing and treatment services.
- Coordination with GBHWC to provide assessments for intensive inpatient therapy as well as supplemental outpatient and support services that incorporate education, group sessions and family involvement as outlined in the treatment plan.

Guam's Performance Measures:

- Type of Cognitive Behavioral Interventions implemented.
- Memorandum of Understanding with agencies and support organizations for access to support services including the treatment of mental illnesses and substance use disorders and assistance with housing, education, employment and other services.
- Reduce Recidivism Rate.
- Reduce Prison Population.
- Number of credentialed practitioners/specialized treatment providers and community organizations.
- Number of clients who were assessed with a risk/needs assessment.
- Type of specialized training received by staff to increase and enhance knowledge and skills
- Number of clients with an individualized treatment plan and coordinated supervision.
- Number of clients receiving domestic and family violence treatment, sex offender treatment, and substance abuse treatment through prevention programs, including cognitive-based therapy, relapse prevention and others.
- Number of clients receiving community support programs to follow through with treatment needs, parenting classes, relationship classes, structured visits between inmates and their children, education, employment, etc.
- Feedback from pre- and post-program surveys on the outcome of the services provided to participants and tracking of long-term outcomes.

Corrections and Community Corrections Priority

Reentry Program

Purpose Areas: Corrections, Community Corrections and Reentry Programs

Program Description:

The purpose of this program is to prevent further penetration into Guam's criminal justice system by reducing recidivism and improving and preparing inmates to transition back into the community. The program aims to help prisoners acquire marketable skills while incarcerated to improve their readiness for post-release employment and provide coordinated assistance with established community partners who can assist with locating, securing, and retaining employment.

Brief Analysis of the Need of the Program and Proposed Program Activities:

Guam's correctional system needs a program in place to detect, counsel, monitor and rehabilitate offenders before they are released to the community to prevent further penetration into the criminal justice system. In 2023, the daily average prison population was 802, of which 333 were adjudicated inmates and 421 were detainees and federal holds. Of the total population, 5,729 offenses are recorded for every prisoner held. Of the total offenses, 869 were for violent offenses and 4,860 were for non-violent commitment offenses, drug abuse, against family and children, DUI, and Superior Court or Parole revocations by the Guam Parole Board recorded for most of these offenses.

The Guam Department of Corrections releases approximately 100-120 incarcerated inmates annually who complete the terms of their prison sentence. Within the next five years, DOC will release approximately 600 clients back to the community with the expectation that upon release they will become useful members to themselves and to society. Although the Department is mandated to provide the security, health and welfare to those under its care, the lack of adequate and trained support staff, funding, and space has made it increasingly difficult to meet those mandates, and with recidivism at over sixty percent, the department also is challenged with how to supervise offenders returning back to the community after incarceration.

The traditional process for supervising offenders in the community is overwhelming with the lack of parole officers and in providing the kind of close supervision and coordinated services that are needed to protect our community from recidivism. Many offenders who are released are illiterate or undereducated and they have few job skills or life skills, little education, little work experience, and little prospect of legitimate success in the community into which they return.

There is a need to develop and implement a Reentry Program that will look at best practices being utilized that target those at the highest risk to reoffend, those with criminogenic needs, tailoring conditions of supervision, balancing surveillance with treatment, and incorporating skill-building, ongoing education, vocational training, and networking with established agencies and community partners who can assist offenders with job placement to include other services such as substance abuse treatment, housing assistance, and family counseling to ease the challenges of reentry upon release.

Program Goal:

The overall goal of the program is to develop comprehensive and collaborative strategies to address reentry challenges for people who are assessed as having a medium to high risk of recidivism in the effort to improve inmates' transition back to the community.

Objective and Action:

- Forming or supporting a reentry task force/committee to develop a reentry strategic plan.
 - Evaluating the jurisdiction's approach to contracting reentry services and assessing whether or not contracted services are achieving positive results.
- Supporting a comprehensive range of reentry services that target criminogenic risk, including cognitive-behavioral programming; educational, vocational, and job placement services; transitional employment; substance use treatment; supportive housing; mental health and medical care; programs that promote family reunification; mentoring and peer support; and civil legal aid.
 - Targeting criminogenic needs through evidence-based interventions and services.
 - Provide sustained case planning and management in the Department of Corrections and community.
 - Providing staff training, coaching, and performance evaluations on adopted evidence-based practices.
 - Planning and implementing strategies to expand options for access to educational, vocational, and job placement services, transitional employment, substance use treatment, supportive housing, mental health and medical care.
 - Develop or enhancing data systems to capture and assess reentry data for planning purposes
- Comprehensive services for people returning to their communities from incarceration in order to increase accountability and lower overall recidivism.
 - Collaboration across agencies and systems, including mental health and substance use treatment providers, prosecutors, nonprofit organizations, and law enforcement.
 - Engagement with target populations to increase program retention, enhance community support, and respond with appropriate services before release, including the treatment of mental illnesses and substance use disorders and assistance with housing, education, and employment.
 - Development of tailored pre- and post-release programs to address individual criminogenic needs that affect the risk of recidivism.

Guam's Performance Measures:

- Development of Reentry Task Force/Committee and a reentry strategic plan.
- Development of evidence-based intervention and services programs.
- Number of program staff (case workers) hired in DOC focused on providing reentry case

- planning and management.
- Type of training and number of staff trained on adopted evidence-based reentry programs/practices implemented.
 - Memorandum of Understanding with agencies and support organizations for access to support services including the treatment of mental illnesses and substance use disorders and assistance with housing, education, and employment.
 - Development of tailored pre- and post-release programs to address individual criminogenic needs that affect the risk of recidivism.
 - Reduction of Recidivism Rate.
 - Reduction of Prison Population.
 - Number of clients released who participated in the Reentry Program.
 - Number of clients who participated in the Reentry program who were assessed with a risks/needs assessment/job skills assessment.
 - Number of clients with an individualized reentry plan and coordinated supervision.
 - Number enrolled in educational programs such as literacy classes, GED classes, peer tutoring, and adult basic education.
 - Number of clients enrolled in employment programs with life skills and vocational training, and who received assistance with the job search process (skills assessments, drafting resumes, job-searching techniques, and interviewing skills).
 - Number of clients receiving substance abuse treatment through prevention programs, including cognitive-based therapy, relapse prevention and others.
 - Number of clients gainfully employed.
 - Number of clients receiving community support programs such as housing, social services, health care, parenting classes, relationship classes, and structured visits between inmates and their children, etc.

Planning, Evaluation, and Technology Improvement Priority

Criminal Justice Information Systems Improvement Program

Purpose Area: Planning, Evaluation, and Technology Improvement Programs

Program Description:

The purpose of this program is to improve Guam's Criminal Justice Information Systems by integrating the police, court, prosecution, corrections and criminal justice systems components to improve the quality, timeliness, and accuracy of Guam's criminal history records.

Brief Analysis of the Need of the Program and Proposed Program Activity:

Technology system improvement applies to using technology to improve the criminal justice system. This includes improving management of criminal justice data that is current, accurate, and accessible in a timely manner by applicable criminal justice agencies. The lack of accurate, reliable criminal history information that can be shared expeditiously among a variety of stakeholders in the criminal justice community has been a significant obstacle to the effective apprehension and prosecution of offenders.

A need exists to eliminate the duplication of data entry by migrating the New World Public Safety (formerly known as *Aegis Public Safety*) data to the Office of the Attorney General Prosecution Case Management Information System and the Department of Corrections Adult Correctional Management Information System. Data should be captured once and used many times. Rather than have agencies duplicate data which has already been captured and automated by others, efforts should be implemented that will enable users to share common information and thereby eliminate the potential of subsequent data entry errors and delays in processing. Another need exists to integrate the State Identification Number (SID) and FBI number from the Guam Police Department AFIS System to populate the GPD New World Public Safety, the OAG PCMIS System, the Judicial Case Management System, and the ACMIS System. Finally, a need exists to ensure resources are available for the annual maintenance of the law enforcement case management systems to improve criminal justice information sharing and integrated systems.

As of 2021, the Judiciary completed the upgrades needed to integrate the SID and FBI numbers with the VCCH. To align with its AFIS upgrades, the Judiciary, on behalf of the Guam Police, implemented a two phased approach for upgrades to GPD's AFIS involving complete hardware and software integration. The Judiciary also continues to make the necessary infrastructure improvements and upgrades to its Criminal Justice Information System to meet federal reporting requirements. In 2021, both the OAG and the Judiciary initiated the Request for Proposal (RFP) procurement for a new Prosecution Case Management Information System (OAG) and a new *eCourts* and *eProbation* (Judiciary) due to the planned end of life with the JustWare Case Management System. The new PCMIS is fully operational at the Office of the Attorney General.

The DOC also initiated the RFP Procurement for a three phased approach for a new ACMIS as

upgrades will no longer be available to sustain the program. As of 2023, DOC completed Phase I and Phase II of the ACMIS upgrades and in August 2024, DOC completed Phase III of the upgrades and the new ACMIS went live August 2025⁴. The GPD will also undergo upgrades to its New World Public Safety System to ensure arrest records are properly imputed into the LERMS in addition to software upgrades for NIBRS.

Program Goal:

The goal of the program is to make systematic improvement in the quality, timeliness, and accuracy of Guam criminal history records to facilitate integration of information technology in the criminal justice system and to share information across systems thus to improve criminal justice information sharing and integrated systems.

Objective and Actions:

- Ensure Prosecution Case Management Information System (PCMIS) annual upgrades for the efficient and effective case management of prosecution records; and provide training to keep abreast of upgrades and updates to the eProsecutor Software.
- Ensure the Adult Correctional Management Information System (ACMIS) upgrade for the efficient and effective collection and reporting of inmate and detainee information.
- Upgrade of hardware and software of AFIS to improve and maintain the inputting of fingerprints, evidence prints, and criminal history data for the timely submission of fingerprints and criminal history information to the FBI CJIS.
- Ensure systematic improvement to the Police Records Management Information System (PRMIS) to effectively and efficiently generate and manage criminal justice information and allow electronic interface of arrest data to the Central Repository.
- Ensure the systematic improvement to the Criminal Justice Information System (CJIS) to facilitate the exchange of information among law enforcement systems through the Virtual Computerized Criminal History (VCCH) System.

Guam's Performance Measures:

- Implementation of Guam's integration of its law enforcement system to facilitate the exchange of information among law enforcement systems through the Virtual Computerized Criminal History (VCCH) system.
- Integration of GPD AEGIS data element with OAG PCMIS and DOC ACMIS.
- Implementation of ACMIS upgrades for efficient and effective collection and reporting of inmate and detainee information and integration with GPD AEGIS and OAG PCMIS and VCCH.
- Implementation of AFIS upgrades to meet Triple I compliance.
- Implementation of the PCMIS for effective prosecution records.
- Integration and automation of SID and FBI Number.
- Maintenance of Guam's criminal justice information systems.

Video Conferencing Technology

Purpose Area: Planning, Evaluation, and Technology Improvement Programs

Program Description:

The purpose of this program is to enhance Guam’s criminal justice and law enforcement agencies communications and operational continuity during this time of public health emergency through the implementation of video conferencing technology. Video conferencing at the Judiciary of Guam, the Office of the Attorney General, the Department of Corrections, the Department of Youth Affairs, the Guam Police Department and the Public Defenders Service Corporation will allow for the opportunity to conduct trial hearings, case management, client and legal consultations, and expert testimony.

Brief Analysis of the Need of the Program and Proposed Program Activity:

Technology system improvement applies to using technology to improve the criminal justice system. Criminal justice systems are some of the most important institutions in governments as they provide a process for handling criminal activity in a way that aims to be as fair as possible to everyone involved. Unfortunately, one of the biggest problems facing justice systems worldwide is the backlog of cases that keeps trials, hearings, and other courtroom proceedings to be conducted in a timely manner. Potential offenders must often wait months or even years to face trial for their actions. This causes all manner of concerns, from questions of public security to jail overcrowding and much more. Video Conferencing enables any person who has an interest in court proceedings to be involved in a hearing from a remote location. With the use of technology, video conferencing can enable courtroom practices to be more efficient, increase productivity, save time, reduce travel expenses, improve security and overall promote collaboration without requiring constant travel for face-to-face communication. Video conferencing is now being used all over the world as an alternative to travel and in-person interactions between inmates, defendants, and all parties related to trials and judgment.

Public safety is also an issue each time a detainee or inmate is taken out of the correctional facility, and courthouse security is equally heightened. Video conferencing helps reduce the possible risk of sending dangerous defendants to courts which in turn reduces the stress of insufficient police or corrections officer strength, and provides a safer environment for judges and justices, court patrons and employees. Further, Defense counsels have the opportunity to consult or confer with clients remotely at the Department of Corrections and Department of Youth Affairs, and appear remotely, upon consent, with defendants for court hearings.

In April 2020, the Judiciary conducted a survey of criminal justice and other stakeholders to assess their ability to participate in remote hearings. From the survey, a total of 52 respondents from 12 agencies participated in the survey, and no less than 85% replied that they have the equipment and internet connectivity to participate in remote hearings. However, 38% indicated that they do not have the resources needed to participate in multiple simultaneous remote hearings; and 62% of respondents needing resources to participate in multiple simultaneous remote hearings indicated

they would need additional equipment. Equipment and services needed to support multiple simultaneous remote hearings are critical to ensuring cases are heard timely and that the Judiciary is able to continue to provide the access to justice that is the right of every person in our community.

The COVID-19 pandemic caused the Judiciary of Guam, Department of Corrections, Office of the Attorney General, Department of Youth Affairs, Guam Police Department and the Public Defenders Services Corporation to reevaluate its operations for the health and safety of all employees, patrons and those in confinement facilities. Remote hearings and consultations are one of the primary solutions for ensuring social distancing to prevent the spread of the coronavirus. Video conferencing is at the forefront of this solution. In 2014, the Byrne JAG funding provided the opportunity to equip trial and magistrate courtrooms with video conferencing systems, however, these systems need upgrading and additional equipment is needed to ensure court interpreter services are provided. Additionally, the video conferencing equipment needs of criminal justice partners at the Guam Police Department, Office of the Attorney General, Department of Youth Affairs, Department of Corrections, Public Defender Services Corporation and Alternate Public Defender must also be addressed for remote hearings to work.

Through Byrne JAG funding starting in 2021, the Judiciary continues to equip all trial and magistrate courtrooms with video conferencing systems for hybrid court hearings. In coordination with the Office of Technology (OTECH), infrastructure for video conferencing capability was implemented at DOC to allow for virtual court hearings. Byrne JAG funds allowed the Public Defender Service Corporation the opportunity to implement virtual conferencing stations at DOC and the Department of Youth Affairs (DYA) to allow attorneys to confer with clients, thus protecting their 6th Amendment Right to legal defense and speedy trial. Funding allowed for computer equipment, internet and Zoom access for attorneys to meet more frequently with their clients and to get their cases resolved more quickly.

Program Goal:

The goal of the program is to provide a method for Guam's criminal justice and law enforcement entities to virtually connect for court hearings; to consult with clients at the correctional facility and or detention facility; and to promote public safety.

Objective and Actions:

- Ensure the gradual development or upgrade of video conferencing technology at the Judiciary of Guam for remote court hearings, client visits, monitoring and access to treatment and support services.
- Ensure the gradual development or upgrade of video conferencing technology at the Office of the Attorney General for criminal cases, case management conferences, expert testimony, legal consultation, overseas or remote witnesses.
- Ensure the gradual development or upgrade of video conferencing technology at the Department of Corrections at the Male and Female Facilities and the Hagåtña Detention Facility.

- Ensure the gradual development or upgrade of video conferencing technology at the Department of Youth Affairs at the Youth Detention Facility.
- Ensure the gradual development or upgrade of video conferencing technology at the Public Defenders Services Corporation to allow for remote conference or consultation with defendants confined at the Guam Department of Corrections and Youth in Custody at the Department of Youth Affairs or to allow for appearance at court hearings with consent of the defendant.
- Ensure the gradual development or upgrade of video conferencing technology at the Guam Police Department for testimony in criminal cases.
- Ensure coordination with the Office of Technology on video conferencing technology implementation such as hardware, software, internet, subscriptions, headsets.

Guam's Performance Measures:

- Policies and procedures developed and or enhanced for video conferencing use in Guam's Criminal Justice Agencies.
- Identify the law enforcement and criminal justice agencies that have implemented video conferencing systems within their organization and provide a list of the video conferencing equipment implemented.
- Data on number of criminal cases heard via video conferencing.
- Information on improved efficiency in maintaining courts and processing criminal cases, cost savings (travel expense, security).
- Data on number of consultations and or conference and appearance in court proceedings.
- Data on the number of consultations with clients at the Department of Corrections by entity.
- Data on number of testimonies in criminal cases, expert testimony, and remote witnesses.
- Report on the efficiency of the video conferencing
- Number of hardware, software, internet connections, zoom subscriptions, headsets, etc.

National Incident-Based Reporting System (NIBRS) Compliance

Purpose Area: Planning, Evaluation, and Technology Improvement Programs

Description of the Program:

In FY 2016, the Federal Bureau of Investigation (FBI) formally announced its intention to sunset the Uniform Crime Reporting (UCR) Program's traditional Summary Reporting System (SRS) and replace it with the UCR Program's National Incident-Based Reporting System (NIBRS). By January 1, 2021, the FBI intends for NIBRS to be the law enforcement crime data reporting standard for the nation. In preparation for the FBI's 2021 NIBRS compliance deadline, U.S. territories and tribal jurisdictions, BJA beginning in FY 2019 will require, through the application of a special condition, direct JAG award recipients not certified by the FBI as NIBRS compliant to dedicate 3 percent of their JAG award toward achieving full compliance with the FBI's NIBRS data submission requirements under the UCR Program. The 3 percent requirement will assist state and local jurisdictions in working toward compliance, to ensure they continue to have critical criminal justice funding available through JAG when SRS is replaced by NIBRS in FY 2021.

As of March 16, 2022, FBI NIBRS informed the Guam Police that they will be officially certifying GPD in NIBRS. Guam Police achieved this milestone by maintaining less than a 4% margin of error as per the FBI mandate. This is a tremendous milestone for the Guam Police Department in meeting compliance with the congressional mandate for FBI NIBRS Certification. Guam will continue to support maintaining NIBRS compliance to enhance the quantity, quality, and timeliness of crime data collected by law enforcement officers, to provide personnel with NIBRS/IBR training via virtual on-line courses and technical assistance training, software programming adjustments to LERMS, and to continue to improve the methodology used for compiling, analyzing, auditing, and publishing the collected crime data with NIBRS requirement. Continued support will ensure that JAG eligibility is not affected in future fiscal years.

Brief Analysis of the Need of the Program and Proposed Program Activities:

Guam achieved certification by the FBI for NIBRS compliance. The Guam Police transitioned to the National Incident-Based Reporting System (NIBRS) March 2022. Guam Police Department will continue to meet NIBRS certification to include training, contractual services, software enhancement, hardware upgrades and labor.

LERMS software programming adjustments for improvement of capturing criminal data for the UCR-NIBRS were initiated November 2022 with Tyler Technologies, however, the adjustment initiated a reset or defaulted edits related to the NIBRS errors. Due to this, the error rate appears high due to software adjustments that can only be fixed by the New World TT. In order for GPD to update its LERMS Software through New World TT, a hyperconvergence must be completed. Until this update is completed, manual intervention will continue to be required.

The GPD received guidance from New World TT that a SQL server is also necessary to complete the GPD's hyperconvergence. The SQL server is necessary to store and backup data. A

procurement request was initiated in January 2024 and is still pending a purchase order from the GSA.

GPD has procured and acquired a "hyper-convergence" infrastructure with the intent to integrate its police records management systems and networking resources into a single platform. GPD is in the beginning stages of this transition project which includes the migration of existing data from GPD's server to the hyper-convergence; however, in order to proceed with the migration, GPD is required to back up the data residing in our existing server into a SQL Storage. This is necessary to prevent the potential loss of data while ensuring the transfer of critical information and minimizing potential disruptions to GPD's systems including the LERMS, CAD, and Field Mobile systems which are intertwined with the NIBRS.

Program Goal:

The goal of this program is to continue to facilitate jurisdictions compliance with NIBRS.

Guam's Performance Measures:

- Maintain NIBRS certification with less than a 4% error of margin
- Number of NIBRS/IBR training provide officers
- Implementation of computer workstations compatible with software specification and software upgrades to interface with LERMS and the Mobile Field Reporting System.

Prevention and Education Priority

Criminal Justice System Prevention & Education Program

Purpose Area: Prevention and Education Programs

Program Description:

The purpose of this program is to improve Guam's Criminal Justice System by strengthening prevention efforts through school-based and community crime prevention programs or strategies that target changes in behavior, culture and community infrastructure of young adults to prevent or lead a life of crime resulting in an arrest.

When a young adult commits an act that would be criminal if committed by an adult, the juvenile is determined to be delinquent. Delinquent acts may include crimes against persons, crimes against property, drug offenses, and crimes against public order. Delinquency prevention efforts seek to redirect youth who are considered at-risk for delinquency or who have committed a delinquent offense from deeper involvement in the juvenile justice or criminal justice system.

Brief Analysis of the Need of the Program and Proposed Program Activity:

According to the 2023 Guam Uniform Crime Report, a total of 5,077 offenses were reported. Of this total, 2,794 arrests were reported for violent and property crimes and other crimes against society. The total arrest for 2023 is a 17 percent decrease from the 6,101 arrests reported in 2022. On average from 2021 to 2023, a total of 6,192 individuals were arrested on island for criminal offenses annually. In comparison to juvenile offenses, a total of 855 juvenile offenses were reported in 2023, a 6.2% increase from 2022 at 805 offenses. Juvenile crimes increased significantly from 2021 at 436 to 2022 at 805 and in 2023 at 855. Of the total juvenile offenses, 190 are for violent, property and other crimes against society.

The Department of Youth Affairs, a youth correctional facility, is responsible for the care and custody of both status offenders and delinquent offenders. In 2022, the total admissions of youth in custody at DYA was 239, a significant increase from the 2021 overall admissions of 74 or 223% as compared to the admissions in 2020 of 212 or 13%. Recurring criminal related offenses are assault, burglary, criminal sexual conduct, robbery, theft of motor vehicle and family violence. Recurring non-criminal related offenses are violations of court order, beyond control, and curfew violations.

Most of the individuals arrested have had some sort of encounter with the criminal justice system, mostly for relatively minor, nonviolent offenses, and sometimes from decades in the past. Whether an arrest occurred recently or long ago, individuals with criminal records, and particularly recently incarcerated individuals, have a juvenile record and will face serious and complex obstacles to reentry into the community.

These barriers can ultimately contribute to a cycle of incarceration that makes it difficult for even

the most well-intentioned individuals to stay on the right path and stay out of the justice system. Across the country, communities face high recidivism rates for a number of reasons. Many justices involved individuals return to the community with considerable deficits, such as limited education, few marketable job skills, no stable housing, chronic health issues, substance abuse needs, and fragile support networks.

The long-term impact of an individual's criminal record prevents many motivated people from obtaining employment, housing, higher education, and a better way of life. These barriers affect returning individuals even if they have turned their lives around and are unlikely to reoffend.

The need exists to develop an effective Criminal Justice System Prevention and Education Program to redirect youth who are considered at-risk for delinquency or who have committed a delinquent offense from deeper involvement in the juvenile justice or criminal justice system. The diversity of approaches can include a network of law enforcement partners involved in neighborhood watch, community policing, and comprehensive or multi-disciplinary efforts. These strategies can engage residents, community and faith-based organizations, and local government agencies in addressing the factors that contribute to the community's crime, delinquency, and disorder.

The program should be designed to: 1) increase students' perceptions of competence and self-worth; 2) improve participant identification with positive roles; 3) reduce disciplinary actions in school; 4) improve participants' communication and refusal skills; 5) increase knowledge of and negative attitudes about substance abuse and violence; 6) teach anger and impulse control for effective behavioral skills for reducing aggressive and delinquent behavior in promoting healthy youth development and reducing levels of youth drug use, violence, delinquency, and problems with the criminal justice system in the future; and 7) increase community involvement in promoting the healthy development of youth and the valuing of adolescents.

Program Goal:

The goal of the program is to develop a criminal justice education campaign program that will target school-based students to educate on the negative consequences of having a juvenile or prison record. The program is designed to deter and effect a positive impact on deterring the use of alcohol, drugs, and involvement in other risky behaviors among participants leading to a criminal justice record.

Objectives and Actions:

- Creation of a Youth Prevention and Education Committee to examine existing school-based and community crime prevention programs or strategies that target changes in behavior, culture and community infrastructure of young adults to prevent or lead a life of crime resulting in an arrest.
 - Evaluating the jurisdiction's approach to youth prevention and education programs and assessing whether or not programs or services are achieving positive results.
 - Develop effective Youth Criminal Justice Prevention and Education Program

- Planning and implementing strategies that target changes in behavior, culture and community infrastructure of young adults to prevent or lead a life of crime resulting in an arrest
- Develop or enhancing data systems to capture and assess effectiveness of program for planning purposes
- Comprehensive services for young adults returning to their communities from incarceration in order to increase accountability and lower overall recidivism.
 - Collaboration across agencies and systems, including mental health and substance use treatment providers, prosecutors, nonprofit organizations, and law enforcement.
 - Engagement with target populations to increase program retention, enhance community support, and respond with appropriate services before release, including the treatment of mental illnesses and substance use disorders and assistance with housing, education, and other services.
 - Development of tailored pre- and post-survey instruments to evaluate effectiveness of youth prevention and education programs in reducing juvenile crime related offenses.

Guam's Performance Measures:

- Development of a comprehensive or multi-disciplinary network of criminal justice agencies and community services stakeholders to include treatment providers, community groups, police services and other professionals in the community in the reduction of risk factors and social problems.
- Performance of needs assessment (identify risk and protective factors) to evaluate information about crime and delinquency, available resources, and previous interagency cooperation to determine what types of delinquent behavior and youth violence are causing the greatest concern in the community to help focus the intervention.
- Development and implementation of Criminal Justice System Prevention and Education Program.
- Development of a core of juvenile or adult offenders who will commit to promote successful integration into the community by providing support, advocacy, and a way to be meaningfully accountable.
- Number of prevention and education campaigns or outreach conducted in the schools, community events, print/media campaigns to effectively reduce, for example, anti-social behavior, aggression, delinquency, substance abuse and violent crime among adolescents; number of participants; number of stakeholder participation
- Types of intervention services, referrals or programs provided to youths.
- Data to support improved youth's school performance; reduction on reported violent and property crimes and other assaults; reduction in prison sentencing.

APPENDIX B: NEW BJA PERFORMANCE MEASURES SYSTEM

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 trainings for the revised JAG Measures is posted on the JAG Training Page <https://bjapmt.ojp.gov/help/jagdocs.html>.

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" every six-months.

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 accomplishments within this reporting period?
 - A. Open ended text response (5000 characters)
2. What goals were accomplished, as they relate to your grant application?
 - 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 C: BUDGET DETAIL WORKSHEET & NARRATIVE

<p><i>Guam's FY 2024 Edward Byrne Justice Assistance (JAG) Program</i> <i>[Name of Project]</i></p> <p>Budget Detail Worksheet</p>		
<p>A. Personnel--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>Budget Narrative:</p>		
TOTAL PERSONNEL		\$0.00

<p>B. Fringe Benefits--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>Budget Narrative:</p>		
TOTAL FRINGE BENEFITS		\$0.00

<p>C. Travel-- 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>

<u>Purpose of Travel</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Budget Narrative:			
Location: Continental United States Government of Guam Travel Policy will be followed & Federal GSA Rates will be applied at time of travel.			
TOTAL TRAVEL			\$0.00

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>
TOTAL EQUIPMENT		\$0.00

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>
Budget Narrative:		
TOTAL SUPPLY		\$0.00

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
TOTAL CONSTRUCTION		\$0.00

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
<u>Consultant Expenses</u>			
<u>Item</u>	<u>Location</u>	<u>Computation</u>	<u>Cost</u>
			\$0.00
<u>Contracts</u>			
<u>Item</u>			<u>Cost</u>
			\$0.00
Budget Narrative:			
TOTAL			
CONSULTANTS/CONTRACTS			\$0.00

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>
Budget Narrative:		
	TOTAL OTHER COSTS	\$0.00

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>		
	TOTAL INDIRECT COST	\$0.00

TOTAL FEDERAL REQUEST **\$0.00**