

**Bureau of Justice Assistance (BJA)  
Edward Byrne Memorial Local Justice Assistance Grant (JAG) Program**

**Frequently Asked Questions**

**Award Eligibility/Formula Information**

1. How do I know if I am eligible for a direct JAG award from BJA?

The list of eligible applicants can be found by clicking on your state on the following web page:  
[www.ojp.usdoj.gov/BJA/grant/08jagallocations.html](http://www.ojp.usdoj.gov/BJA/grant/08jagallocations.html).

2. Our city/county does not qualify for a direct award. How do I become eligible for a direct award in the future?

Based on the current JAG legislation, an increase in any of the following may qualify you for an award in the future: overall appropriation, state population, crime expenditure data, and Part I violent crime data from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reports.

3. My city/county/parish/township/tribe is not listed as qualifying for a direct award. Is there other JAG funding available?

Yes. Your state government also receives a JAG award from BJA, and you may qualify for funding from the state. States are required to "pass-through" a certain percentage of their state award to fund local projects that support one or more of the approved JAG purpose areas. You can find which agency administers this award by clicking on your state on the following web page:  
<http://www.ojp.usdoj.gov/saa/index.htm>. The state agency that administers the JAG pass-through funds will be listed under the Bureau of Justice Assistance.

4. I heard that there is going to be more FY 2008 JAG funding available through a supplemental appropriation. Does this mean my jurisdiction can get more JAG funding?

While a FY 2008 supplemental appropriations bill was introduced, the bill is not final. Should additional JAG funding be made available, BJA will update jurisdictions regarding the process for receiving the funds.

5. Where can I find Uniform Crime Report (UCR) Part I violent crime data and crime expenditure data for my city or county?

For UCR data, please refer to the following webpage: [www.fbi.gov/ucr/ucr.htm](http://www.fbi.gov/ucr/ucr.htm).

6. Our local jurisdiction (e.g., city, county, parish, township, tribe) is eligible to apply for a direct award from BJA. Who must apply and where do I find more information on how to apply?

Only a unit of local government (e.g., city, county, parish, township, or tribe) may apply for JAG funding from BJA. **The legal name on the JAG application must match the name of the unit of local government on the [eligibility list](#).** The Chief Executive Officer (CEO) of a unit of local government is responsible for determining which government official will apply for funding and may designate an agency head (such as a police chief, sheriff, etc.) to be the Signing Authority on the application. For example, if the applicant is a city and the project will be implemented by the police department, the chief

of police can be designated and would have signing authority for that application. In this instance, the police department must be listed as the “Organizational Unit” on the application.

### **Application Requirements**

1. Our local jurisdiction (e.g., city, county, parish, township, tribe) is eligible to apply for a direct award from BJA. Who must apply and where do I find more information on how to apply?

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2. Will our city/county receive the amount listed one time or for every year of the project period?

This amount listed on the eligible jurisdiction list is a one-time award amount. The project period for the one-time award is from **October 1, 2007 to September 30, 2011.**

3. The application states that the eligible unit of local government must “make the grant application available for review to the governing body of the unit of local government or an organization designated by the governing body prior to submitting that application to BJA.”

a. What is the governing body?

Examples of the governing body are a city council, county commission, county board of supervisors, or other legislative body at the local level. Follow your local laws and procedures for providing the application to the governing body. For example, based on internal procedures, you may need to provide it to the administrative assistant for the city to distribute to the city council.

b. Our city council meets only once a month. How can I meet that requirement and still submit my application by BJA’s due date, **July 8, 2008?**

The requirement is that the application be provided for review by the governing body. Approval prior to submitting it to BJA is not required. Submit your application via the online Grants Management System (GMS) no later than the July 8, 2008 deadline. If the application is not complete or you did not meet the 30-day governing body review requirement, BJA will add a special condition withholding funds until the requirement is met. After receiving your JAG grant, you will be responsible for addressing the special conditions before you can access your JAG funds.

c. Our city just found out about the JAG funds. Therefore, it is not possible to meet the 30-day requirement and submit the application by BJA’s deadline, **July 8, 2008.** Are we ineligible for an award?

All JAG applications must be submitted on or before the deadline of July 8, 2008. BJA will begin processing applications that have not yet met the 30-day requirement (at the time of submission), but will not formally award those applications until the 30 days have passed. JAG funds will be withheld until you have addressed all remaining application requirements.

4. The application states that the unit of local government must “provide an assurance that the application (or any future amendment) was made public and an opportunity to comment was provided to citizens and to neighborhood or community organizations to the extent applicable by law or established procedure makes such an opportunity available.”

a. Does this have to be done 30 days prior to submitting the application?

No. You must meet this requirement before you submit the application to BJA, not 30 days prior. If you do not meet this requirement before submitting the application, BJA will add a withholding special condition to your award until you provide documentation that the published notification is complete.

b. Is it required that I hold a public hearing or can I just post a notice in the newspaper?

If your local law allows, posting a notice in the newspaper is sufficient if there is a means for the public to provide comments by calling, e-mail, sending a letter, etc.

c. Is there a requirement to have an advisory board review the application?

There is no requirement to have an advisory board review the application; however, BJA encourages jurisdictions to use an advisory board if possible.

### **Disparate Information**

My city is listed along with my county under the column “Joint Application Award Amount.” What does this mean?

If you are listed with another city or county government, you are in a funding disparity. The JAG legislation requires that if a city (or cities) receives one-and one-half times more funding (four times more for multiple cities) than the county, there is a funding disparity, and the units of local government must apply for an award with a single joint application. Also included in the disparity calculation is crime expenditure data for the city and the county.

a. Fiscal Agent: How do we determine which single unit of local government will apply to BJA to be the fiscal agent for the funds?

This is a decision to be made by the units of local government. Consider which local government is most capable of administering the financial and programmatic requirements according to federal guidelines.

b. Projects: Are the city and the county required to work on the same project or purpose area?

No. For example, the city may choose to purchase equipment, and the county may wish to fund a drug task force.

- c. Single-Jurisdiction Project: The county would like to administer a drug court with the JAG funds that would benefit all the cities listed as disparate. The cities agree with this strategy and would like the total allocation to go to the county. Do we still have to provide a Memorandum of Understanding (MOU) signed by all parties?

Yes. In the example above, all of the cities must be included in the MOU and agree in that document that the county would receive the total allocation; the cities would not receive funding from the county, but they would benefit from the service the county would provide. The MOU must certify that the city or county that does not receive funds: 1) recognizes that the funds in question will be provided for a single project; 2) believes that the proposed project will provide a direct local benefit to their city or county; and 3) agrees that providing the funding for a single project is in the best interest of their city/county.

- d. Allocation: How do I find out what my jurisdiction's potential allocation was within the disparate process?

This figure can be found at [www.ojp.usdoj.gov/BJA/grant/08jagallocations.html](http://www.ojp.usdoj.gov/BJA/grant/08jagallocations.html). For more information, contact your State Policy Advisor: [www.ojp.usdoj.gov/BJA/resource/stcont.htm](http://www.ojp.usdoj.gov/BJA/resource/stcont.htm).

- e. MOU: The sample MOU has blanks that I don't understand. For example, what do I fill in under the Tort Claims Act?

A sample memorandum is provided at: [www.ojp.usdoj.gov/BJA/grant/jag08/08JAGMOU.pdf](http://www.ojp.usdoj.gov/BJA/grant/jag08/08JAGMOU.pdf).

This document was provided as an example only. The specific city and references to the city that created it were eliminated before it was posted to the internet. Each city/county will need to work with its own legal counsel to create an MOU specific to local city/county laws.

- f. MOU Submission: How do I provide the MOU to BJA?

Please fax to 202-354-4147 or email the MOU directly to your State Policy Advisor ([www.ojp.usdoj.gov/BJA/resource/stcont.htm](http://www.ojp.usdoj.gov/BJA/resource/stcont.htm)). When you fax a document to the GMS fax number (202-354-4147), each page appears as a separate electronic image; therefore, please write the GMS application number at the top of each faxed page. The GMS application number (ex: 2008-F0204-CA-DJ) is generated when you access the JAG funding opportunity on GMS.

- g. Government Body Review: What is the governing body? Does every county/city need to provide the application to its governing body for review or does the requirement only apply to the city/county (the fiscal agent) that will actually submit the application to BJA?

Examples of governing bodies include a city council, county commission, county board of supervisors, or other legislative body at the local level. Follow your local laws and procedures for providing the application to the governing body. For example, based on internal procedures, you may need to provide your application to the administrative assistant for the city council to distribute to the city council. **For**

**“Joint Applications” only, the fiscal agent must provide a copy of the joint application to its governing body prior to submission to BJA.**

- h. Public Review: The application kit states that you must “provide an assurance that the application or any future amendment was made public and an opportunity to comment was provided to citizens and to neighborhood or community organizations to the extent applicable law or established procedure makes such an opportunity available.” Does each city and county listed have to make the application public or just the fiscal agent?

The fiscal agent must make its application public and provide for an opportunity to comment. To promote an awareness of the application and proposed initiatives, the announcement should be broad enough for all jurisdictions participating in the joint application to receive notice. This can be accomplished as easily as announcing it in the local newspaper with an e-mail address to submit comments. Follow your local laws and procedures on the requirements for public notices and comments.

- i. Report Submissions: How will we submit reports to BJA?

Only the fiscal agent will be required to submit quarterly financial reports and an annual performance report to BJA. However, the fiscal agent will need data from each of the cities and the county to obtain the information for the reports. You may want to include this requirement in your MOU.

- j. Trust Fund Requirement: How do we manage the trust fund requirement when there are multiple cities/counties?

The JAG legislation requires that a trust fund be established for JAG funds. The trust fund may or may not be an interest-bearing account. This may be one trust fund that is established by the fiscal agent, or each jurisdiction may establish its own trust fund. Decisions on the trust fund, including how funds earned by the interest-bearing account will be distributed, should be outlined in the MOU.

- k. Administrative Costs: Can each unit of local government that will receive funding use up to 10 percent of their award for administrative costs?

Only the fiscal agent may use up to 10 percent of the award for administrative costs. Administrative costs taken, if any, should be addressed in the MOU.

### **Legislative Changes**

1. The JAG grant prohibits the use of grant funds for vehicles, vessels, and aircraft (**excluding police cruisers, police boats, and police helicopters**) unless extraordinary and exigent circumstances exist. It also states that BJA must certify in writing that you may use the funds for this purpose. How do I obtain this approval?

You must submit a written request (e-mail is acceptable) with your JAG application or post-award grant number to your BJA State Policy Advisor. The request must provide a response to the following: 1) What are the extraordinary and exigent circumstances that exist that would require the use of JAG funds to

purchase non-police vehicles/vessels/aircraft. 2) Describe the purpose of the non-police vehicles/vessels/aircraft related to criminal justice.

## **Reporting**

1. What will be the reporting requirements once the grant is awarded?

Once you receive your award, you will be required to submit:

A. Quarterly financial status reports (SF-269s).

SF-269s MUST be submitted via GMS on the following schedule:

<b>Reporting quarter:</b>	<b>Due no later than:</b>
January 1–March 31	May 15
April 1–June 30	August 14
July 1–September 30	November 14
October 1–December 31	February 14

B. Annual performance reports.

Annual Performance reports must be submitted via GMS on the following schedule:

- Local Grantees: The “PERMANENT” reporting period for all Local JAG grantees is January 1–December 31, due March 31.
- State and Territory Grantees: The “PERMANENT” reporting period selection has been established in GMS. To verify which reporting period your agency has chosen, please contact your State Policy Advisor ([www.ojp.usdoj.gov/BJA/resource/stcont.htm](http://www.ojp.usdoj.gov/BJA/resource/stcont.htm)).

## **Administration**

1. Where can I find GMS instructions related to SF-269 Financial Status Reports, JAG Progress Reports, Grant Adjustment Notices and/or Closeouts?

GMS training aids can be located here: [www.ojp.usdoj.gov/training/gms.htm](http://www.ojp.usdoj.gov/training/gms.htm).

2. Now that I received my award, are there any written post-award instructions?

The Office of the Chief Financial Officer, Office of Justice Programs has a Post-award Instruction package to assist grantees located at: [www.ojp.usdoj.gov/BJA/resource/toolbox.html](http://www.ojp.usdoj.gov/BJA/resource/toolbox.html).

3. Can I speak to a live person at BJA regarding my JAG grant?

Each state/territory has a designated BJA State Policy Advisor (SPA). To locate your SPA, click on the following website: [www.ojp.usdoj.gov/BJA/resource/stcont.htm](http://www.ojp.usdoj.gov/BJA/resource/stcont.htm).