

Recovery Act: Frequently Asked Questions

Reference Information:

Where can I find the statute for the American Recovery and Reinvestment Act of 2009, Public Law 111-5 (the “Recovery Act”)?

The Recovery Act can be found by visiting our website at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h1enr.pdf

How much funding was provided for the Recovery Act?

The Recovery Act will inject \$787 billion into the economy, providing jobs and much needed resources for states and local communities. Among these resources is more than \$4 billion for state and local law enforcement and other criminal and juvenile justice activities. The Office of Justice Programs (OJP) which provides federal leadership in developing the nation's capacity to prevent and control crime, administering justice, and assisting victims, will administer \$2.76 billion of this funding.

What programs will OJP be administering under the Recovery Act?

OJP will be administering several formula and competitive programs under the Recovery Act.

- [The Edward Byrne Memorial Justice Assistance Grant \(JAG\) Program](#) - \$2 billion

Program Information

The JAG Program, administered by OJP's Bureau of Justice Assistance, allows states and local governments to support a broad range of activities to prevent and control crime and improve the criminal justice system. The procedure for allocating JAG grants is based on a formula of population and violent crime statistics, in combination with a minimum allocation to ensure that each state and territory receives an appropriate share of funding. Sixty percent of the allocation is awarded to the state and 40 percent is set aside for direct awards to units of local government.

Eligibility

Funding that is awarded directly to the state governments, will be administered by a State Administering Agency (SAA) which will then set priorities and allocate funds within that state. Additional information about SAAs can be found here: <http://www.ojp.usdoj.gov/saa/index.htm>.

Units of local government will also be eligible to apply for JAG funds. [Click here for a list of state and local allocations.](#)

Questions? E-mail JAGRecovery@usdoj.gov.

- [The Edward Byrne Competitive Grant Program](#) - \$225 million

Program Information

The Recovery Act - Edward Byrne Memorial Competitive Grant Program provides resources to improve the capacity of state and local criminal justice systems, and to provide assistance to victims of crime (other than compensation). The Recovery Act funding will focus on job creation and retention in support of evidence-based and data-driven programs in the following areas: 1) preventing and reducing violent crime; 2) providing funding for neighborhood-based probation and parole officers, as a compliment to the COPS program; 3) reducing mortgage fraud and crime related to vacant properties; 4) hiring of civilian support personnel in law enforcement (training staff, analysts, dispatchers, etc.); 5) enhancing forensic and crime scene investigations; 6) improving resources and services for victims of crime; 7) supporting problem-solving courts; and 8) national training and technical assistance partnerships. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) will separately solicit applications for youth mentoring grants.

Eligibility

The Recovery Act - Edward Byrne Memorial Competitive Program will solicit applications from national, state, regional, or local public and private entities, including for-profit (commercial) and nonprofit organizations, faith-based and community organizations, institutions of higher education, and tribal jurisdictions.

Questions? E-mail byrne.discretionary@usdoj.gov .

- [Assistance for Tribal Law Enforcement](#) (construction of jails on tribal lands) - \$225 million

Program Information

The Recovery Act - Correctional Facilities on Tribal Lands Program provides resources to allow eligible American Indian tribes and Alaska Native villages to construct correctional facilities on tribal lands, with consideration given to the detention bed space needs and the violent crime statistics of the applicant tribe or village. The grant program will allow eligible tribes to apply for a grant within one or more of four categories: 1) construction of tribal detention facilities; 2) construction of multipurpose justice centers; 3) renovation of existing detention

facilities; and 4) construction of alternative sentencing facilities. Tribes will be encouraged to partner with other tribes, local government agencies, state government agencies, and training and technical assistance providers.

Eligibility

The Recovery Act Correctional Facilities on Tribal Lands Program encourages applications from tribes or villages that can document that they have been through a facility construction and/or renovation planning process, and priority will be given to projects that are prepared to begin construction and/or renovation of a facility within 180 days. The announcement will also solicit applications for a national training and technical assistance provider to support tribal efforts in construction of correctional facilities.

- [Assistance to Rural Law Enforcement to Combat Crime and Drugs](#) - \$125 million

Program Information

The Recovery Act - Assistance to Rural Law Enforcement to Combat Crime and Drugs Competitive Grant Program provides funding in rural states and rural areas for job creation and retention in support of efforts to prevent and combat rural crime and drugs, and provides national support, including training and technical assistance programs, strategically targeted to address rural needs.

Eligibility

The Assistance to Rural Law Enforcement to Combat Crime and Drugs Competitive Grant Program will solicit applications in categories that target rural states and rural areas and that include the following: combating rural crime; improving rural law enforcement investigations; enhancing rural detention, corrections, and jail operations; facilitating rural justice information sharing; and training and technical assistance. The grant announcement places priority consideration on local and tribal law enforcement agencies where the unit of local government: 1) was not eligible to receive a direct allocation from the Edward Byrne Memorial Justice Assistance Grants, American Recovery and Reinvestment Act of 2009 or, 2) received a direct allocation from the Edward Byrne Memorial Justice Assistance Grants, American Recovery and Reinvestment Act of 2009 of \$50,000 or less. Also eligible for funding are national, regional, state, and local public and private entities providing training and technical assistance to rural areas.

- [Assistance for Law Enforcement along the Southern Border and in High Intensity Drug Trafficking Areas \(HIDTA\)](#) - \$30 million

Program Information

The Recovery Act - Combating Criminal Narcotics Activity Stemming from the Southern Border of the U.S. (Southern Border/HIDTA) Competitive Grant Program provides support to initiatives that combat criminal narcotics activity in the U. S. southern border. For purposes of this solicitation, the “southern border of the United States” is limited to the following states: California, Arizona, New Mexico, and Texas. Applications submitted under this solicitation must address job creation and retention in support of one of the following goals: 1) control, reduce, and/or prevent criminal narcotics activity, including drug-related crime and violence, along the southern border of the United States; or 2) control, reduce, and/or prevent criminal narcotics activity, including drug-related crime and violence, in High-Intensity Drug Trafficking Areas (HIDTAs) in order to combat criminal narcotics activity stemming from the southern border of the United States. Applications will be submitted in categories that target the southern border and that include the following: combating criminal narcotics activity; enhancing southern border jails and community corrections; facilitating justice information sharing, collaboration, and problem solving; and training and technical assistance.

Eligibility

The Southern Border/HIDTA Competitive Grant Program will solicit applications primarily from law enforcement agencies in the southern border or in HIDTAs combating criminal narcotics activity stemming from the southern border, as well as from national, state, regional, or local public and private entities, including for-profit (commercial) and nonprofit organizations, faith-based and community organizations, institutions of higher education, tribal jurisdictions, units of local government that provide needed assistance and equipment to law enforcement along the southern border of the United States. Applications for funding should be submitted through the on-line OJP Grants Management System (GMS).

- [Grants for Victim Compensation and Assistance](#) - \$100 million

For more information please visit our Fact sheet
www.ojp.usdoj.gov/recovery/pdfs/OJPFactsheet.pdf

- [Grants for Internet Crimes Against Children Initiatives](#) - \$50 million

For more information please visit our Fact sheet
www.ojp.usdoj.gov/recovery/pdfs/OJPFactsheet.pdf

Where can I find more information about the OJP program offices?

You can find links to the [Office of Justice Programs](#), the [Bureau of Justice Assistance](#), the [Office for Victims of Crime](#) and the [Office of Juvenile and Justice and Delinquency Prevention](#) by visiting their webpages.

Application Requirements:

How do I obtain a Data Universal Number System (DUNS) number?

Ask the grant administrator, chief financial officer, or authorizing official of your organization to identify your DUNS number. If your organization does not know its DUNS number or needs to register for one, visit Dun & Bradstreet at <http://fedgov.dnb.com/webform/displayHomePage.do>. The federal government has adopted the use of DUNS numbers to track how federal grant money is allocated. DUNS numbers identify your organization. The time it takes to request and obtain a DUNS number is approximately one day.

How do I register my jurisdiction with the Central Contractor Registration (CCR)?

Ask the grant administrator, chief financial officer, or authorizing official of your organization if your organization has registered with the CCR. If your organization is not registered, you can register and then renew your registration once a year. If your organization already has an Employment Identification Number (EIN) or Taxpayer Identification Number (TIN), then you should allow one to three business days to complete the entire registration process with the CCR. Your EIN and TIN should be provided by the Internal Revenue Service (IRS). If your organization does not have an EIN or TIN, then you should allow two weeks for obtaining the information from the IRS when requesting the EIN or TIN via phone or Internet. The additional number of days needed is a result of security information that needs to be mailed to the organization.

You may register with CCR by phone (1-888-227-2423) or online (www.ccr.gov). CCR has developed a handbook (www.ccr.gov/handbook.asp) to help you with the process. When your organization registers with CCR, you must designate an E-Business Point of Contact (E-Biz POC). This person will identify a special password called an "M-PIN". This M-PIN gives the E-Biz POC authority to designate which staff member(s) from your organization are allowed to submit applications electronically. Staff members from your organization designated to submit applications are called Authorized Organization Representatives (AORs).

Where do I apply for Recovery Act Grants?

You can apply for OJP's Recovery Act Grants via our Grants Management System (GMS). To get prepared to apply, you'll want to register with GMS at <https://grants.ojp.usdoj.gov>. To take a quick training of the GMS online system, please visit our online training tool at <http://www.ojp.usdoj.gov/gmscbt/>.

For any questions regarding GMS, please contact the GMS support hotline at 1-888-549-9901 or via email at GMSHelpdesk@ojp.usdoj.gov.

Where do I find information on Executive Order 12372, and how do I find if this requirement applies to my agency?

[E.O. 12372](#) for Intergovernmental Review of Federal Programs was issued to foster partnerships relying on state and local process for the coordination and review of proposed federal financial assistance and direct funding development. A link is provided to the [State Point of Contacts](#) who participate in E.O. 12372.

Financial/Reporting Requirements:

Where can I find information on supplanting and the Recovery Act?

Please visit our Recovery Act website on supplanting.
<http://www.ojp.usdoj.gov/recovery/supplantingguidance.htm>. For further questions, please do not hesitate to contact the program office point of contact on your solicitation or the Office of the Chief Financial Officer Customer Service Center 1-800-458-0786 (press 2).

Where can I find information on the Financial Management Trainings?

Monthly [Regional Financial Management Training Seminars](#) are available for anyone involved in financial administration of formula or discretionary grant programs administered by OJP. The sessions include application process, procurement, methods of payment, matching requirements, financial reporting, indirect costs, confidential funds, program income, up-to-date information on grant-related financial regulations and Office of Management and Budget circulars, and hand-on exercises. The seminars are free to recipients of Department of Justice funding.

Is it allowable to budget for attendance to the Financial Management Trainings?

Your programmatic solicitation guidance may require you to attend trainings and may require that you budget for one. Please see specific programmatic FAQs for further guidance. These training may include the BJA regional trainings or the OCFO trainings.

What are the general requirements of the American Recovery and Reinvestment Act that must be followed?

A. Recovery Act: Buy American

All applicants that propose to use grant funds to construct, alter, maintain, or repair a public building or public work should be aware that the Recovery Act (in section 1605) contains a “Buy American” provision that applies to iron, steel, and manufactured goods, subject to certain exceptions. The provision is to be applied in a manner consistent with United States obligations under international agreements. For the text of section 1605, please refer to the ““OJP Recovery Act Additional Requirements” webpage (pending). Government-wide guidance on this provision is not yet available, but is expected. Please check back for updates.

B. Recovery Act: Wage Rate Requirements

All applicants should be aware that the Recovery Act contains a provision on wage rate requirements that concerns projects funded or assisted by Recovery Act funds that

employ laborers and mechanics. See section 1606 of the Recovery Act, the text of which appears on the “OJP Recovery Act Additional Requirements” webpage (pending). Government-wide guidance on this provision is not yet available, but is expected. Please check back for updates.

C. Recovery Act: Preference for Quick-Start Activities

Pursuant to section 1602 of the Recovery Act, recipient of funds under this solicitation for infrastructure investment are to give preference to activities that can be started and completed expeditiously, and also are expected to use grant funds in a manner that maximizes job creation and economic benefit. For the details of this requirement, please refer to the text of section 1602, which appears on the “OJP’s Recovery Act Additional Requirements” webpage (pending).

D. Recovery Act: Contracts

Generally speaking, the Recovery Act places special emphasis on the use of fixed-price contracts awarded through competitive procedures. As information becomes available, OJP will provide guidance to applicants as to what, if any, particular procurement requirements or procedures may apply to contracts awarded with Recovery Act grant funds, apart from those that appear in 28 C.F.R. Part 66 and 28 C.F.R. Part 70.

E. Recovery Act: Limit on Funds

The Recovery Act specifically provides that funds may not be used by any State or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

F. Recovery Act: Use of Funds in Conjunction with Funds from Other Sources.

Recovery Act funds may be used in conjunction with other funding as necessary to complete projects, but tracking and reporting of Recovery Act funds must be separate, to meet the reporting and other requirements of the Recovery Act and other applicable law. There can be no commingling of funds. (See “Accountability and Transparency under the Recovery Act,” below.)

What information regarding reporting and tracking is required under the Recovery Act?

A. Separate Tracking and Reporting of Recovery Act Funds and Outcomes

Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, it is essential that all funds from a Recovery Act grant be tracked, accounted for, and reported on separately from all other funds (including funds from non-Recovery-Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of Recovery Act funds. The accounting systems of all recipients and sub-recipients must ensure that funds from any award under this Recovery Act solicitation are not commingled with funds from any other source.

B. Quarterly Financial and Programmatic Reporting

Consistent with the Recovery Act emphasis on accountability and transparency, reporting requirements under Recovery Act grant programs will differ from and expand upon OJP's standard reporting requirements for grants. In particular, section 1512(c) of the Recovery Act sets out detailed requirements for quarterly reports that must be submitted within 10 days of the end of each calendar quarter. Receipt of funds will be contingent on meeting the Recovery Act reporting requirements.

Under this Recovery Act program, quarterly financial and programmatic reporting will be required, and will be **due within 10 calendar days after the end of each calendar quarter**, starting July 10, 2009. The information from grantee reports will be posted on a public website. To the extent that grant funds are available to pay a grantee's administrative expenses, those funds may be used to assist the grantee in meeting the accelerated time-frame and extensive reporting requirements of the Recovery Act.

Recovery Act grant recipients may expect that the information posted by OJP will identify grantees that are delinquent in their reporting. In addition, in keeping with standard OJP practice, grant recipients who do not submit required reports by the due date will not be permitted to draw down funds thereafter, during the pendency of the delinquency, and may be subject to other appropriate actions by OJP including, but not limited to, restrictions on eligibility for other OJP awards, restrictions on draw-down on other OJP awards, and suspension or termination of the Recovery Act award.

C. Sub-awards under Recovery Act Grants

Reporting; DUNS and CCR. Quarterly reporting requirements for Recovery Act awards include reporting with respect to sub-awards. In order to facilitate that reporting, award recipients must work with their first-tier sub-awardees (if any) to ensure that, no later than the due date of the award recipient's first quarterly report after a sub-award is made, the sub-awardee has a DUNS numbers and is registered with the Central Contractor Registration (CCR) database.

Monitoring of sub-awards. All applicants should bear in mind that any recipient of an award under this solicitation will be responsible for monitoring of sub-awards under the grant in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide.

D. Reporting Fraud, Waste, Error, and Abuse

Each grantee or sub-grantee awarded funds made available under the Recovery Act is to promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor, or other person has submitted 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 Recovery Act funds.

Report potential fraud, waste or abuse to the Department of Justice, Office of the Inspector General, <http://www.usdoj.gov/oig/index.html>.