

U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance



The [U.S. Department of Justice, Office of Justice Programs](#) (OJP) [Bureau of Justice Assistance](#) (BJA) is pleased to announce that it is seeking applications for funding under the Recovery Act State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States.

On February 17, 2009, President Obama signed into law the landmark American Recovery and Reinvestment Act of 2009 (the "Recovery Act"). As one of its many elements, the Recovery Act provides the U.S. Department of Justice (DOJ) with funding for grants to assist state, local, and tribal law enforcement (including support for hiring), to combat violence against women, to fight internet crimes against children, to improve the functioning of the criminal justice system, to assist victims of crime, and to support youth mentoring. DOJ is committed to working with our national, state, local and tribal partners to ensure this funding invests in the American workforce.

Specifically, under this solicitation, BJA will be making awards to provide assistance and equipment to local law enforcement along the Southern border to combat criminal narcotics activity.

## **Recovery Act: State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States Competitive Grant Announcement**

### **Eligibility**

For categories I, II, and III, applicants are limited to: **(A)** state, local, and tribal law enforcement agencies located in the Southern border region, or **(B)** authorized state, local or tribal law enforcement agencies applying on behalf of High-Intensity Drug Trafficking Areas (HIDTA) combating criminal narcotics activity stemming from the Southern border (see also "HIDTA Eligibility").

For Category IV only, applicants are limited to: **(A)** state, local, and tribal law enforcement agencies located in the Southern border region; and national organizations; institutions of higher education; faith-based, community, and regional organizations that provide assistance and equipment to local law enforcement located in the Southern border region, or **(B)** authorized state, local or tribal law enforcement agencies applying on behalf of High-Intensity Drug Trafficking Areas (HIDTA) combating criminal narcotics activity stemming from the Southern border.

**HIDTA Eligibility:**

In order for a HIDTA to apply for funding under Categories I-IV, the Director of the HIDTA must authorize a designee from a participating state, local, or tribal law enforcement agency to apply on behalf of the HIDTA. The Director must sign a statement which expressly authorizes the designee to apply on behalf of the HIDTA. BJA will consider applications from multiple law enforcement agencies located within the same HIDTA. This signed statement must be attached as part of the application (see "Attachment 5," page 18).

In further defining the term "criminal narcotics activity," all criminal narcotic drug activity stemming from areas south of the southern geographic land border of the United States (i.e., Mexico, Central and South America) are included as origination points. Consequently, HIDTAs within the distribution chain for drugs stemming from these areas are also included.

**For purposes of this solicitation:**

1. The "Southern border" (or "Southern border region") of the United States is limited to the southern geographic land border of the United States, which includes, and is limited to, the following states: California, Arizona, New Mexico, and Texas.
2. State and local law enforcement agencies include state and local prosecutors, parole, probation, and community corrections agencies.

(See "Eligibility," page 2)

**Deadline**

**Registration with OJP's Grants Management System is required prior to application submission.**

**Applicants must obtain a DUNS number from Dun and Bradstreet prior to application submission. Applicants must register with the Central Contractor Registration (CCR) database.**

(See "Deadline: Registration," page 2)

**All applications are due by 8:00 p.m. Eastern Time on April 17, 2009.**

(See "Deadline: Applications," page 2)

### **Important Note to Prospective Applicants**

This solicitation is issued pursuant to the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), which was signed into law by President Obama on February 17, 2009. As of the date this solicitation is issued, government-wide guidance is still forthcoming on various aspects of the Act.

Applicants are strongly advised to check the appropriate web site and [Hwww.ojp.usdoj.gov/recovery/solicitationrequirements.htm](http://www.ojp.usdoj.gov/recovery/solicitationrequirements.htm) periodically (including before submitting an application) for updates to this solicitation and its associated requirements. Additional information may become available that could affect project proposal narratives, timelines, budget requests, certifications, and other matters related to applications.

Award recipients will be required to follow any applicable provisions of government-wide guidance that may be issued pursuant to the Recovery Act.

For assistance with the programmatic requirements of this solicitation, contact BJA toll-free at 1-866-859-2687, or contact the following BJA staff directly based on the category for which you are applying (**E-mail is the preferred method for questions on this solicitation**):

#### **Category I, Combating Criminal Narcotics Activity**

**Michael Medaris**

202-616-8937

[Michael.Medaris@usdoj.gov](mailto:Michael.Medaris@usdoj.gov)

#### **Category II, Enhancing Southern Border Jails, Community Corrections, and Detention Operations**

**Gary Dennis**

202-305-9059

[Gary.Dennis@usdoj.gov](mailto:Gary.Dennis@usdoj.gov)

#### **Category III, Facilitating Justice Information Sharing, Collaboration and Problem Solving**

**David Lewis** 202-616-7829

[David.P.Lewis@usdoj.gov](mailto:David.P.Lewis@usdoj.gov)

#### **Category IV, National Training and Technical Assistance**

**Danica Szarvas-Kidd**

202-305-7418

[Danica.Szarvas-Kidd@usdoj.gov](mailto:Danica.Szarvas-Kidd@usdoj.gov)

This application must be submitted through OJP's Grants Management System (GMS). For technical assistance relating to the online application system, call the Grants Management System Support Hotline at 1-888-549-9901, option 3. The GMS Support Hotline hours of operation are Monday-Friday from 7:00 a.m. to 9:00 p.m. Eastern Time. For step-by-step GMS guidance, please utilize OJP's online Grants Management System training tool:

[www.ojp.usdoj.gov/gmscbt/](http://www.ojp.usdoj.gov/gmscbt/).

**Release date: March 19, 2009**

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**Recovery Act: State and Local Law Enforcement Assistance Program:  
Combating Criminal Narcotics Activity Stemming from the Southern  
Border of the United States  
CDFA #16.809**

**Overview of the State and Local Law Enforcement Assistance  
Program: Combating Criminal Narcotics Activity Stemming from the  
Southern Border of the United States Program**

This grant program is authorized by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the "Recovery Act").

The stated purposes of the Recovery Act are: to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; and to stabilize state and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.

The Recovery Act places great emphasis on accountability and transparency in the use of taxpayer dollars. Among other things, it creates a new Recovery Accountability and Transparency Board and a new web site – Recovery.gov – to provide information to the public, including access to detailed information on grants and contracts made with Recovery Act funds.

Violence in Mexico and along the Southern border of the United States, largely related to the production, transportation, and distribution of illegal drugs, has steadily increased in recent years and shows no signs of abatement. These incidents of violence usually involve disputes between drug-trafficking organizations fighting to control this illicit narcotics market. The impact of this criminal activity, associated violence, and increasingly sophisticated weapons and equipment possessed by drug-trafficking organizations has put pressure on law enforcement to respond effectively.

The State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern border of the United States under the American Recovery and Reinvestment Act of 2009 is designed to provide resources for hiring and retention of, and assistance and equipment to local law enforcement along the Southern border and in High-Intensity Drug Trafficking Areas in order to combat criminal narcotics activity stemming from the Southern border of the United States. For the purpose of this solicitation, the term "criminal narcotics activity" includes all narcotic drugs listed in the Controlled Substance Act 21 USC §801 et seq.

Grant recipients will participate in an evaluation of any programs supported through this solicitation. The National Institute of Justice will manage these evaluation activities through the selection of evaluators, who will work directly with grant recipients. Each applicant must certify their willingness and capacity to participate in an evaluation, including offering full cooperation to the evaluator, and to provide proof of access and data.

Note: Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the OJP Assistant Attorney General (AAG), who may also give consideration to factors including, but not limited to, underserved populations, strategic priorities, past performance, and available funding when making awards.

## **Deadline: Registration**

### **Registering with OJP's Grants Management System (GMS)**

Applications must be submitted through OJP's online Grants Management System (GMS). To access the system, go to <https://grants.ojp.usdoj.gov>. Applicants should begin the process immediately to meet the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. The registration process for organizations includes: (1) Obtaining a Data Universal Numbering System (DUNS) number; (2) Registering your organization with the Central Contractor Registration (CCR) database; and (3) Registering with GMS prior to applying.

The deadline to register is **8:00 p.m. Eastern Time on April 17, 2009**.

**A DUNS number is required.** All applicants under this solicitation must include a DUNS (Data Universal Numbering System) number in their application. Applications without a DUNS number are incomplete.

A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Obtain one by calling 1-866-705-5711 or by applying online at <http://fedgov.dnb.com/webform/displayHomePage.do>.

**Central Contractor Registration (CCR) is required.** In addition to the DUNS number requirement, OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about registration procedures can be accessed at [www.ccr.gov](http://www.ccr.gov).

## **Deadline: Applications**

The due date for applying for funding under this announcement is **8:00 p.m. Eastern Time on April 17, 2009**.

## **Eligibility**

For Categories I, II, and III (see pages 6-7), applicants are limited to: **(A)** state, local, and tribal law enforcement agencies located in the Southern border region, or **(B)** authorized state, local or tribal law enforcement agencies applying on behalf of High-Intensity Drug Trafficking Areas

(HIDTA) combating criminal narcotics activity stemming from the Southern border (see also, “HIDTA Eligibility”).

For Category IV only (see page 7), applicants are limited to: **(A)** state, local, and tribal law enforcement agencies located in the Southern border region; and national organizations; institutions of higher education; faith-based, community, and regional organizations that provide assistance and equipment to local law enforcement located in the Southern border region, or **(B)** authorized state, local or tribal law enforcement agencies applying on behalf of High-Intensity Drug Trafficking Areas (HIDTA) combating criminal narcotics activity stemming from the Southern border.

**HIDTA Eligibility:**

In order for a HIDTA to apply for funding under Categories I-IV, the Director of the HIDTA must authorize a designee from a participating state, local, or tribal law enforcement agency to apply on behalf of the HIDTA. The Director must sign a statement which expressly authorizes the designee to apply on behalf of the HIDTA. BJA will consider applications from multiple law enforcement agencies located within the same HIDTA. This signed statement must be attached as part of the application (see “Attachment 5,” page 18).

In further defining the term “criminal narcotics activity,” all criminal narcotic drug activity stemming from areas south of the southern geographic land border of the United States (i.e., Mexico, Central and South America) are included as origination points. Consequently, HIDTAs within the distribution chain for drugs stemming from these areas are also included.

**For purposes of this solicitation:**

1. The “Southern border” (or “Southern border region”) of the United States is limited to the southern geographic land border of the United States, which includes, and is limited to, the following states: California, Arizona, New Mexico, and Texas.
2. State and local law enforcement agencies include state and local prosecutors, parole, probation, and community corrections agencies.

See the [Frequently Asked Questions \(FAQs\)](#) for further information on the solicitation and its requirements.

**Additional Requirements Related to the Recovery Act (including certification requirements):**

Reporting on the Use of Funds: In order to be eligible to receive funds under this solicitation, applicants must certify that they will satisfy the reporting requirements of section 1512(c) of the Recovery Act, which requires detailed reporting (including reporting on subawards) not later than **ten calendar days after the end of each calendar quarter**. Detailed information on section 1512(c) appears below, under “Accountability and Transparency under the Recovery Act.” A template for the certification is included in the appendix. Applicants may expect that a standard form and/or standard reporting mechanism will be made available at a future date.

Funding Distribution and Appropriate Use of Funds: Section 1607 of the Recovery Act requires either a certification by the Governor or a concurrent resolution of the state legislature concerning funds distribution and assurance of appropriate use of funds. States may not receive funds under this Recovery Act solicitation unless section 1607 is satisfied. (Refer to the OJP Recovery Act Additional Requirements web page at [www.ojp.usdoj.gov/recovery/solicitationrequirements.htm](http://www.ojp.usdoj.gov/recovery/solicitationrequirements.htm) for the text of section 1607.)

Certification regarding Infrastructure Investments: Pursuant to section 1511 of the Recovery Act, a state or local government (including a federally-recognized Indian tribal government) may not receive funds for an infrastructure investment (for example, construction or major renovation of a correctional facility) unless the Governor, mayor, or other chief executive, as appropriate, certifies that the infrastructure investment has received the full vetting required by law and that the chief executive accepts responsibility that the infrastructure is an appropriate use of taxpayer dollars. The certification must include a description of the infrastructure investment, the estimated total cost, and the amount of Recovery Act funds to be used, and must be posted on a web site that is linked to Recovery.gov. (Refer to the OJP Recovery Act Additional Requirements web page at [www.ojp.usdoj.gov/recovery/solicitationrequirements.htm](http://www.ojp.usdoj.gov/recovery/solicitationrequirements.htm) for the text of section 1511.)

Consistent with section 1511, **all** applicants under this solicitation must complete a “General Certification as to Requirements for Receipt of Funds for Infrastructure Investments,” a template for which is included in the appendix. Recipients that are awarded funds for one or more infrastructure investment projects must also submit and post a certification that satisfies section 1511 as to each such specific project prior to obligating, expending, or drawing down funds for such a project. Applicants or recipients that intend to prepare a section 1511 certification should consult the OJP Recovery Act Additional Requirements web page at [www.ojp.usdoj.gov/recovery/solicitationrequirements.htm](http://www.ojp.usdoj.gov/recovery/solicitationrequirements.htm). If a standard form becomes available, OJP will include a notice in the appropriate section of the web page.

**Faith-Based and Other Community Organizations:** Consistent with Executive Order 13279, dated December 12, 2002, and 28 C.F.R. Part 38, faith-based and other community organizations that statutorily qualify as eligible applicants under DOJ programs are invited and encouraged to apply for assistance awards to fund eligible grant activities. Faith-based and other community organizations will be considered for awards on the same basis as other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with all other grantees in the administration of such awards. No eligible applicant or grantee will be discriminated for or against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Faith-based organizations receiving DOJ assistance awards retain their independence and do not lose or have to modify their religious identity (e.g., remove religious symbols) to receive assistance awards. DOJ grant funds, however, may not be used to fund any inherently religious activity, such as prayer or worship. Inherently religious activity is permissible, although it cannot occur during an activity funded with DOJ grant funds; rather, such religious activity must be separate in time or place from the DOJ-funded program. Further, participation in such activity by individuals receiving services must be voluntary. Programs funded by DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary’s religion.

If your organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled, under the Religious Freedom Restoration Act, 42 U.S.C. § 2000bb, to receive federal funds and yet maintain that hiring practice, even if the law creating the funding program contains a general ban on religious discrimination in employment. For the circumstances under which this may occur, and the certifications that may be required, please see the section titled, “Funding to Faith-Based Organizations” on the “Other Requirements for OJP Applications” web page at [www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm).



Applicants are also encouraged to review the “Civil Rights Compliance” section on the “Other Requirements for OJP Applications” web page, which can be found at the web address shown above.

**American Indian Tribes and Alaska Native Tribes and/or Tribal Organizations:** If a grant application is being submitted on behalf of a tribe or tribal organization, a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable government entity authorizing the inclusion of the tribe or tribal organization named in the application must be included with the application.

## **State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States—Specific Information**

***All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Applicants also should anticipate that awards under the Recovery Act will be one-time awards and accordingly should propose project activities and deliverables that can be accomplished without additional DOJ funding.***

The State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern border of the United States was enacted to provide for a range of assistance and equipment in support of initiatives to combat criminal narcotics activity in the Southern border region.

All applications submitted under this solicitation must address one of the following goals:

1. Control, reduce, and/or prevent criminal narcotics activity, including drug-related crime and violence, along the Southern border region 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 in order to combat criminal narcotics activity stemming from the Southern border of the United States.

Use of funds for overtime and hiring personnel is allowable to meet the specific categorical requirements outlined in this solicitation. Applicants must develop a plan for sustaining personnel hired with grant funds after the funding has ended. Applicants are strongly encouraged to avoid unsubstantiated requests for equipment purchases. Applicants are strongly encouraged to consider costs for training needs and reporting requirements associated with receipt of this funding when developing their budget.

Proximity to the Southern border may be an additional factor taken into consideration upon review.

See the [FAQs](#) for further information on the solicitation and its requirements.

### **Award Categories**

Applicants may submit a proposal under any one of the following categories. Should a proposal span multiple categories or encompass elements from different categories, identify one category which best describes the project. Applicants should not submit duplicate proposals to multiple

categories. An applicant may submit more than one proposal as long as the applications are different.

### **CATEGORY I: COMBATING CRIMINAL NARCOTICS ACTIVITY ALONG THE SOUTHERN BORDER.**

Applications are solicited to address narcotics-related criminal activity along the Southern border and/or within HIDTA areas addressing narcotics activity stemming from the Southern border. Applicants are encouraged to: 1) form a multi-jurisdictional, multi-disciplinary enforcement approach; and 2) demonstrate a data-driven analysis capacity or a willingness to adopt intelligence-led policing for planning and implementing drug enforcement initiatives. Applicants are encouraged to implement management practices which improve agency capacity to share appropriate investigative and case information with national information sharing programs, such as the [Regional Information Sharing System \(RISS\)](#) and [Fusion Centers](#), and N-DEx (a national data exchange hosted by the Federal Bureau of Investigation).

Examples of narcotic drug activities that could be funded include, but are not limited to:

- Hiring sworn law enforcement officers or paying overtime to address narcotics-related activity including drug related crime and violence.
- Establishing, maintaining, or enhancing multi-jurisdictional drug trafficking task forces
- Hiring crime analysts and intelligence analysts to support data-driven strategies to combat criminal narcotics activity.
- Supporting law enforcement activities that respond to border-related home invasions and associated violence.
- Establishing, supporting, and enhancing crime lab capacity to assist HIDTA and other state and local law enforcement initiatives to combat narcotics activity.
- Enhancing law enforcement resources for narcotics-related investigations, prosecutions, and intelligence gathering and sharing activities.
- Hiring prosecutors for programs targeting criminal narcotics-related violent crimes, smuggling, storage, transportation, and related issues impacting the region.
- Acquiring, maintaining surveillance and tracking equipment and personnel costs for interdiction support.
- Acquiring equipment and connectivity functions to support intelligence and regional information sharing programs.

### **CATEGORY II: ENHANCING SOUTHERN BORDER JAILS, COMMUNITY CORRECTIONS, AND DETENTION OPERATIONS.**

Applications are solicited to improve or enhance the administration and operations of the detention and corrections function to assist law enforcement as it relates to controlling, reducing, and/or preventing criminal narcotics activity along the Southern border region and/or in HIDTA areas addressing such issues stemming from the Southern border region of the United States. Hiring detention, probation, parole, and community corrections personnel for the implementation of these efforts is an acceptable use of funding. Key areas include efforts to: improve jail and corrections operations in the Southern border region; improve the jail and correctional systems access to necessary criminal intelligence; and support greater collaboration between law enforcement and jail/correctional system personnel for the purposes of reducing narcotics-related crimes and managing offender populations.

### **CATEGORY III: FACILITATING JUSTICE INFORMATION SHARING, COLLABORATION, AND PROBLEM SOLVING.**

Applications are solicited to support the development and use of information sharing in Southern border region as it relates to controlling, reducing, and/or preventing criminal narcotics activity

along the Southern border region and/or in HIDTA areas addressing such issues stemming from the Southern border region of the United States. These funds may be used to support local agency involvement in existing information sharing efforts and programs or to fill gaps in intelligence and information sharing infrastructures serving the Southern border region. Examples include corridor-related crime reduction strategies, and connecting to and leveraging the services of information sharing initiatives such as Texas Border Sheriffs Coalition, "Operation Linebacker", HIDTA services, RISS, ARJIS, Pegasus, CISANet, among others. The purposes of the information sharing projects are to: strengthen the capacity of local and state law enforcement in their everyday responses to crime that relates to the illicit narcotics trade in the Southern border region; explore law enforcement tactics that have been successful in local and regional crime prevention and reduction efforts for their potential in anti-narcotics activities; and facilitate the development of stronger partnerships among law enforcement agencies and between federal and local law enforcement that will positively impact and reduce the flow of illicit narcotics stemming from the Southern border.

#### **CATEGORY IV: TRAINING AND TECHNICAL ASSISTANCE.**

Applications are solicited to provide training and technical assistance to the law enforcement community within the Southern border region or eligible agencies within HIDTA areas (see HIDTA eligibility, page 3) that are combating criminal narcotic activities stemming from the Southern border. Applications must demonstrate the ability to develop content and support the delivery of training to law enforcement agencies in the Southern border including a variety of training delivery mechanisms such as online trainings and other electronic or distance learning formats, including podcasts, webinars, etc. Applicants should demonstrate the ability to recruit and train subject matter-appropriate trainers; schedule and organize training venues; market trainings and recruit participants; and administer and oversee implementation of the trainings. The development and delivery of training and technical assistance is expected to have a positive impact on the control, reduction, and/or prevention of illicit narcotics activities and, in part, may address the following:

- Conducting a needs assessment summit that brings together critical stakeholders to identify the future training and technical assistance needs for the region.
- Information sharing and enforcement coordination.
- Border and narcotics-related victim/kidnapping negotiation and rescue tactics.
- Intelligence training on Mexican cartels and other prominent illegal drug trafficking organization characteristics.
- Crime analysis and criminal intelligence training.
- Acquiring training pertaining to highway interdiction of the transportation of illegal narcotic drugs, weapons, and currency proceeds of narcotic drug trafficking.

#### **Amount and Length of Awards**

Because the total funding available under this solicitation is limited to \$30 million, and there is a great number of jurisdictions in need of these funds, BJA requests that each jurisdiction limit the amount requested only to those funds that are vital to the applicant jurisdiction's proposed project. BJA can thus ensure that funding is distributed to as many qualified jurisdictions as possible.

The project period for awards under this program is up to 24 months. The project start date should be on or after June 1, 2009.

**Limitation on Use of Award Funds for Employee Compensation; Waiver:** No portion of any award of more than \$250,000 made under this solicitation may be used to pay any portion of the

total cash compensation (salary plus bonuses) of any employee of the award recipient whose total cash compensation exceeds 110 percent of the maximum annual 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. For FY 2009, the total cash compensation cannot exceed \$194,700 (\$177,000 [current maximum SES salary] plus [\$177,000 times 10 percent]). (The salary table for SES employees is available at [www.opm.gov](http://www.opm.gov).) This prohibition may be waived at the discretion of the Assistant Attorney General for the Office of Justice Programs. An applicant that wishes to request a waiver should include a detailed justification in the budget narrative of the application. The justification should include: the particular qualification and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project undertaken with the grant funds and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with her/his qualifications and expertise, and for the work that is to be done.

**Non-Supplanting:** For purposes of this Recovery Act solicitation, the general non-supplanting requirement of the OJP Financial Guide ([Part II, Chapter 3](#)) does not apply.

### **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. Government-wide guidance on this provision is not yet available, but is expected. For the text of section 1605, please refer to the "OJP Recovery Act Additional Requirements" web page at [www.ojp.usdoj.gov/recovery/solicitationrequirements.htm](http://www.ojp.usdoj.gov/recovery/solicitationrequirements.htm).

### **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" web page at [www.ojp.usdoj.gov/recovery/solicitationrequirements.htm](http://www.ojp.usdoj.gov/recovery/solicitationrequirements.htm). Government-wide guidance on this provision is not yet available, but is expected.

### **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" web page at [www.ojp.usdoj.gov/recovery/solicitationrequirements.htm](http://www.ojp.usdoj.gov/recovery/solicitationrequirements.htm).

### **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.

### **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.

### **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.)

## **Accountability and Transparency under the Recovery Act**

### **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 DOJ grant 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 subrecipients must ensure that funds from any award under this Recovery Act solicitation are not commingled with funds from any other source.

Misuse of grant funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under a grant, and civil and/or criminal penalties.

### **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.

<b>Programmatic and Financial Reporting Periods</b>	<b>Due Dates</b>
October- December	January 10
January- March	April 10
April-June	July 10
July-September	October 10

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 future OJP awards, restrictions on draw-down on other OJP awards, and suspension or termination of the Recovery Act award.

Funding recipients may expect that a standard form and/or reporting mechanism may be available. Additional instructions and guidance regarding the required reporting will be provided as they become available. For planning purposes, however, all applicants should be aware that the Recovery Act section 1512(c) provides as follows:

Recipient Reports: Not later than 10 days after the end of each calendar quarter, each recipient that received recovery funds from a Federal agency shall submit a report to that agency that contains—

- (1) the total amount of recovery funds received from that agency;
- (2) the amount of recovery funds received that were expended or obligated to projects or activities; and
- (3) a detailed list of all projects or activities for which recovery funds were expended or obligated, including--
  - (A) the name of the project or activity;
  - (B) a description of the project or activity;
  - (C) an evaluation of the completion status of the project or activity;
  - (D) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and
  - (E) for infrastructure investments made by state and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment.
- (4) Detailed information on any subcontracts or subgrants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget.

### **Subawards under Recovery Act Grants**

Reporting; DUNS and CCR. As indicated above, quarterly reporting requirements for Recovery Act awards include reporting with respect to subawards. In order to facilitate that reporting, award recipients must work with their first-tier subawardees (if any) to ensure that, no later than the due date of the award recipient's first quarterly report after a subaward is made, the subawardee has a DUNS numbers and is registered with the Central Contractor Registration (CCR) database. See "Deadline: Registration," above, for more information on CCR and DUNS numbers.

Monitoring of subawards. All applicants should bear in mind that any recipient of an award under this solicitation will be responsible for monitoring of subawards under the grant in

accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide. Primary recipients will be responsible for oversight of subawardee spending and monitoring of specific outcomes and benefits attributable to use of Recovery Act funds.

### **Reporting Fraud, Waste, Error, and Abuse**

Each grantee or subgrantee 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, subgrantee, 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.

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

E-mail: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)

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

Additional information is available from the DOJ OIG web site at [www.usdoj.gov/oig/](http://www.usdoj.gov/oig/).

The Recovery Act provides certain protections against reprisals for employees of non-Federal employers who disclose information reasonably believed to be evidence of gross management, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to section 1553 of the Recovery Act.

### **Performance Measures**

To assist in fulfilling the accountability objectives of the Recovery Act, as well as the Department's responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. In addition, applicants must discuss their data collection methods in the application. Applicants must address all the Recovery Act performance measures. Also, applicants must address all the performance measures that are applicable to the category of funding for which they are applying. Performance measures for this solicitation are as follows:

OBJECTIVE	PERFORMANCE MEASURES	DATA THE GRANTEE PROVIDES FOR 3-MONTH REPORTING PERIOD	DESCRIPTION (PLAIN LANGUAGE EXPLANATION OF WHAT EXACTLY IS BEING PROVIDED)
<b>Categories I-III</b> Recovery Act: Preserving jobs	Number of jobs retained (by type) due to Recovery Act funding.	How many jobs were prevented from being eliminated as a result of the Recovery Act funding during this reporting period?  How many jobs that were eliminated within the last 12 months and subsequently reinstated as a result of Recovery Act funding?	An unduplicated number of jobs that would have been eliminated if not for the Recovery Act funding during the three-month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.  An unduplicated number of jobs that were eliminated 12 months prior to receiving Recovery Act funding. Report this data for each position only once during the grant. A job can include full time, part time, contractual or other employment relationship.
<b>Categories I-III</b> Recovery Act: Creating jobs	Number of jobs created (by type) due to Recovery Act funding.	How many jobs were created with Recovery Act funding this reporting period?	An unduplicated number of jobs created due to Recovery Act funding during the three month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.
<b>Categories I-III</b> Recovery Act: Promoting economic recovery	Percent of essential services maintained without disruption.	How many essential services were prevented from elimination due to Recovery Act funding?  How many essential services does your agency provide?	Essential services are defined as services that are necessary to achieving the grantee's mission. They are mission critical.
<b>Categories I-III</b> Recovery Act: Promoting economic recovery	Number of collaborative partnerships established to avoid reductions in essential services and duplication.	How many partnerships were formed this quarter that prevented reductions in services or duplication of efforts?	Partnerships are defined as the task force activities between state, local, federal, or tribal law enforcement agencies
<b>Category I:</b> To combat criminal narcotics activity along the Southern border	The number of drug trafficking organizations (DTOs) dismantled and disrupted  The value of drugs, cash and other assets seized.  The return on investment (ROI) of Southern border funds	The number of drug trafficking organizations dismantled and disrupted during the quarter  Drug seizure amounts in KG (BJA will calculate value)  Value of real property seized  Value of cash seized  Value of other (vehicles, jewelry) seized	The ROI is the ratio between the grant dollars (funds used for



	Cost per drug trafficking organization dismantled or disrupted.		<p>enforcement and intelligence and information sharing) and the combined total of (1) the wholesale value of drugs taken off the market; (2) cash seized; and (3) non-cash assets seized. (Values obtained from measures above) This computation provides insight into the tangible return received through the operation of the program.</p> <p>Computing the cost of DTO dismantled or disrupted is an efficiency measure. Divide the amount of funds devoted to the multi-agency task force (from measure above) by number of DTOs dismantled or disrupted during the quarter (from first measure)</p>
<b>Category II:</b> To enhance the capacity of community corrections	Reduction in average caseload of community correctional officers in agency.	<p>Average caseload of all community corrections agency when grant begins.</p> <p>Average caseload of community corrections agency during the quarter for which the grantee is reporting.</p>	
<b>Category III:</b> To facilitate justice information sharing, collaboration, and problem solving	Amount of electronic information exchanged	<p>The number of commonly-accessible databases for inquiries established or used during the past quarter</p> <p>Number of new database inquiries in the past quarter</p> <p>Number of new database submissions in the past quarter</p>	
<b>Category IV:</b> To improve the capacity of Southern border law enforcement through in-person training	<p>Percentage of trainees who successfully completed the program.</p> <p>Percentage of trainees who completed the training who rated the training as satisfactory or better.</p> <p>Percentage of trainees who completed the training whose post-test indicated an improved score over their pre-test.</p>	<p>Number of individuals who attended each training.</p> <p>Number of individuals who completed the training.</p> <p>Number of individuals who rated the training as satisfactory or better.</p> <p>Number of individuals who completed an evaluation at the conclusion of the training.</p> <p>Number of individuals who completed a pre- and post-test.</p> <p>Number of trainees whose post-test indicated an improved score over their pre-test.</p>	

<p><b>Category IV:</b> To increase the knowledge of Southern border law enforcement through web-based learning</p>	<p>Percentage of trainees who successfully completed the program.</p> <p>Percentage of trainees who completed the training who rated the training as satisfactory or better.</p> <p>Percentage of trainees who completed the training whose post-test indicated an improved score over their pre-test.</p>	<p>Number of individuals who started the training.</p> <p>Number of individuals who completed the training.</p> <p>Number of individuals who completed an evaluation at the conclusion of the training.</p> <p>Number of individuals who completed a pre- and post-test.</p>	
<p><b>Category IV:</b> To increase the knowledge of Southern border law enforcement through distance learning using CD/DVDs</p>	<p>Percentage of organizations that completed the survey who expressed satisfaction that the CD/DVD met their training needs.</p>	<p>Number of organizations receiving CD/DVDs.</p> <p>Number of organizations who received CD/DVDs who were surveyed.</p> <p>Number of organizations who responded to the survey.</p> <p>Number of organizations who expressed satisfaction that the CD/DVD met their training needs.</p>	
<p><b>Category IV:</b> To increase the knowledge of Southern border law enforcement by providing training scholarships</p>	<p>Percentage of surveyed trainees who reported that the training provided information that could be utilized in their job.</p>	<p>Number of training scholarships provided.</p> <p>Number of trainees who received scholarships who were surveyed.</p> <p>Number of trainees surveyed who responded to the survey.</p> <p>Number of surveyed trainees who reported that the training provided information that could be utilized in their job.</p>	
<p><b>Category IV:</b> Increase a Southern border law enforcement agency's ability to solve problems and/or modify policies or practices</p>	<p>Percentage of requesting agencies who rated services as satisfactory or better in terms of timeliness and quality following completion of a onsite visit.</p> <p>Percentage of requesting agencies that were planning to implement at least some of the report recommendations six months</p>	<p>Number of onsite visits completed.</p> <p>Number of requesting agencies who completed an evaluation of services.</p> <p>Number of requesting agencies who rated services as satisfactory or better in terms of timeliness and quality following completion of a onsite visit.</p> <p>Number of reports submitted to requesting agencies after onsite visits.</p>	

	<p>after the onsite visit.</p> <p>Percentage of peer visitors who reported that the visit to the other agency was useful in providing information on policies or practices.</p> <p>Percentage of peer visitors that were planning to implement at least some policies or practices six months after they were observed at the visited site.</p> <p>Percentage of requesting agencies of other onsite services who rated the services provided as satisfactory or better.</p>	<p>Number of follow-ups with requesting agencies completed six months after onsite visit.</p> <p>Number of requesting agencies that were planning to implement at least some of the report recommendations six months after the onsite visit.</p> <p>Number of peer-to-peer visits completed.</p> <p>Number of reports completed by peer visitors after completion of the visit.</p> <p>Number of peer visitors who reported that the visit to the other agency was useful in providing information on policies or practices.</p> <p>Number of follow-ups with the requesting peer visitor completed six months after the peer-to-peer visit.</p> <p>Number of peer visitors that were planning to implement at least some policies or practices six months after they were observed at the visited site.</p> <p>Number of other onsite services provided.</p> <p>Number of reports submitted to requesting agencies following other onsite services.</p> <p>Number of requesting agencies who completed an evaluation of other onsite services.</p> <p>Number of requesting agencies of other onsite services who rated the services provided as satisfactory or better.</p>	
<p><b>Category IV:</b> To increase information provided to BJA and the Southern border law enforcement community</p>	<p>Percentage of advisory/focus groups evaluated as satisfactory or better.</p>	<p>Number of advisory/focus groups held.</p> <p>Number of advisory/focus groups evaluated as satisfactory or better.</p> <p>Number of documents produced as a result of</p>	

	Percentage of conference attendees who rated the conference as satisfactory or better.	<p>advisory/focus groups.</p> <p>Number of documents disseminated to the field as a result of advisory/focus groups.</p> <p>Number of times the requesting agency evaluated the product of the advisory/focus group.</p> <p>Number of conferences held.</p> <p>Number of conference attendees who completed an evaluation at the conclusion of the conference.</p> <p>Number of conference attendees who rated the conference as satisfactory or better.</p> <p>Number of web sites developed.</p> <p>Number of web sites maintained.</p> <p>Number of publications developed.</p> <p>Number of visits to web sites.</p> <p>Number of publications disseminated.</p> <p>Number of requests for information responded to.</p>	
<b>Category IV:</b> To increase the knowledge of Southern border law enforcement through the development and/or revision of training curricula	<p>Percentage of curricula that were pilot tested.</p> <p>Percentage of curricula that were revised after pilot testing.</p>	<p>Number of training curricula developed.</p> <p>Number of training curricula pilot tested.</p> <p>Number of training curricula revised after being pilot tested.</p>	

## How to Apply

**Grants Management System Instructions.** Applications must be submitted through OJP’s online Grants Management System (GMS). To access the system, go to <https://grants.ojp.usdoj.gov>. Applicants should begin the process a few weeks prior to the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. For a step-by-step guide, visit <http://www.ojp.gov/gmscbt/> and refer to the section entitled “External Overview: Locating &

Applying for Funding Opportunities.” For additional assistance, call the GMS Support Hotline at 1-888-549-9901 from 7:00 a.m. to 9:00 p.m. Eastern Time Monday to Friday.

**Funding Opportunities with Multiple Categories:** Some OJP solicitations posted on GMS contain categories, denoted by the individual solicitation title referencing the category area. If you are applying to a solicitation with multiple categories, you must select the appropriate solicitation title for the intended category of your application. The application will be peer reviewed according to the requirements of the category under which it is submitted.

**Note: OJP’s Grant Management System (GMS) does not support Microsoft Vista or Microsoft 2007. OJP will not review any application with attachments in Microsoft Vista or Microsoft 2007 format.** Applications submitted via GMS must be in the following formats: Microsoft Word (\*.doc), Word Perfect (\*.wpd), Microsoft Excel (\*.xls), PDF files (\*.pdf), or Text documents (\*.txt). GMS is not yet compatible with Vista and cannot yet process Microsoft Word 2007 documents saved in the new default format with the extension “.docx.” Please ensure that any Word documents you are submitting are saved using "Word 97-2003 Document (\*.doc)" format. Additionally, GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

**Recovery Act CFDA Number:** The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.809, titled “Recovery Act: State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States.”

## What an Application Must Include

### Standard Form 424

#### Program Abstract (Attachment 1)

Applicants must provide an abstract identifying the applicant’s name, title of the project, dollar amount requested, and under Categories I, II, and/or III (see pages 6-7), the proximity of its jurisdiction to the Southern border measured in miles (or if a HIDTA applicant, state which HIDTA the applicant is applying on behalf of). In addition, applicants must provide the category for which the applicant is applying (i.e., Category I: Combating Criminal Narcotics Activity along the Southern Border). The abstract must include goals of the project, a description of the strategies to be used, a numerical listing of key/major deliverables, and coordination plans. The abstract must also identify which of the two programs goals (on page 5) the strategy responds to. Applicants must use a standard 12-point font (Times New Roman is preferred) with 1-inch margins. The abstract must not exceed 1 page.

Applicants for Category IV (see page 7), in addition to what is described in the preceding paragraph, must clearly demonstrate in their abstract their eligibility to apply by demonstrating the delivery of training and technical assistance to the law enforcement community within the Southern border region or those agencies within HIDTA areas combating criminal narcotic activities stemming from the Southern border.

Submissions that do not adhere to the format will be deemed ineligible.

### **Program Narrative (Attachment 2)**

Applicants must clearly indicate on the front page of the program narrative which category they are applying under. Should a proposal span multiple categories, select one category which best describes the project. The program narrative must respond to the solicitation and the Selection Criteria (1–3, 5) in the order given. The program narrative must be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and must not exceed 8 pages. Please number pages “1 of 8,” “2 of 8,” etc. Submissions that do not adhere to the format will be deemed ineligible.

### **Budget and Budget Narrative (Attachment 3)**

Applicants must provide a budget that is allowable and reasonable (Selection Criteria 4). Allowable costs include, but are not limited to, personnel, overtime, equipment, and fuel. Applicants must submit a budget detail worksheet and budget narrative. A budget detail worksheet form is available on OJP’s web site at [www.ojp.usdoj.gov/funding/forms/budget\\_detail.pdf](http://www.ojp.usdoj.gov/funding/forms/budget_detail.pdf). When using this form, you must also include a budget narrative, in MS Word or PDF format, as a separate attachment. Both the budget detail worksheet and narrative explanation of costs can be provided in a single document using this acceptable MS Word Budget template, available at [www.ojp.usdoj.gov/BJA/funding/Budget\\_Worksheet\\_Narrative\\_Template.doc](http://www.ojp.usdoj.gov/BJA/funding/Budget_Worksheet_Narrative_Template.doc). Applicants may submit the budget and budget narrative in a different format (i.e., Excel spreadsheet), but it must contain all categories listed within the budget detail worksheet. Applicants must budget funding to travel to up to two Department of Justice-sponsored grant meetings. Applicants should estimate the costs of travel and accommodations for two staff to attend two meetings, with one trip to Washington D.C. and one within their region.

Grants awarded under this solicitation will support the hiring of personnel and the procurement of equipment and related expenses to accomplish the goals and objectives listed within the categories. Examples of specifically allowable expenditures may include, but are not limited to: program-related personnel, overtime, technology, equipment and fuel costs. Further, applicants are strongly encouraged to consider costs for training needs and reporting requirements associated with receipt of this funding when developing their budget.

Applicants must budget funding to travel to up to two Department of Justice-sponsored grant meetings. Applicants should estimate the costs of travel and accommodations for two staff to attend two meetings, with one trip to Washington D.C. and one in their region.

### **Project Timeline and Position Descriptions (Attachment 4)**

Applicants must attach a project timeline with each project goal, related objective, activity, expected completion date, and responsible person or organization. Applicants should also provide position descriptions for all positions the applicant seeks to fund under this grant and any resumes of staff already identified. For Category IV only, applicants must attach resumes of any staff already identified.

### **Certifications (Attachment 5)**

Applicants must attach certifications required by this solicitation, as outlined on pages 3-4. Copies of the certifications are in the Appendix. In order for a HIDTA to apply for funding under Categories I-IV, the Director of the HIDTA must authorize a designee from a participating state, local, or tribal law enforcement agency to apply on behalf of the HIDTA. The Director must sign a statement (to include under this attachment) which expressly authorizes the designee to apply on behalf of the HIDTA.

## Selection Criteria

### 1. Statement of the Problem (15 percent of 100)

Identify the precise problem to be addressed by the project. Provide specific data where available. Describe how activities can be started and completed expeditiously and in a manner that maximizes job creation and economic benefits. For Categories I, II, and III, the applicants' proximity to the Southern border is an additional factor that may be taken into consideration. Agencies applying on behalf of HIDTAs must explain how their narcotics activity stems from the Southern border.

### 2. Program Design and Implementation (30 percent of 100)

Describe project objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act and the likelihood of achieving such outcomes, such as job creation and preservation. Applications that demonstrate job creation and sustainability will receive priority consideration. This solicitation places an emphasis on hiring and retaining staff for the implementation of the stated category objectives (i.e., implementing Intelligence-Led Policing). The review of applications will take into consideration the extent to which the applicant proposes to hire and retain positions. Describe how the project will reach the stated goals and objectives by providing a complete description of its design and proposed implementation. Tie program activities to goals, objectives, and the performance measures applicable to the project. Include a comprehensive timeline that identifies milestones, numerically listed deliverables, and who is responsible for each activity (as Attachment 4). Where applicable, describe how your program design employs evidence-based practices or is based upon research knowledge and/or data.

### 3. Capabilities/Competencies (25 percent of 100)

Fully describe the applicant(s) capabilities to implement the project and the competencies of the staff assigned to the project. Describe how the organization will track all drawdowns and grant expenditures separately from other federal funding.

### 4. Budget (10 percent of 100)

Provide a comprehensive budget and budget narrative that are complete, allowable, and justified based on the proposed project (as Attachment 2). Applicants are strongly encouraged to avoid unsubstantiated equipment purchases. Applicants must budget funding to travel to up to two Department of Justice-sponsored grant meetings. Applicants should estimate the costs of travel and accommodations for two staff to attend two meetings, with one trip to Washington D.C. and one in their region.

### 4. Impact/Outcomes, Evaluation, Sustainment, and Description of the Applicant's Plan for the Collection of the Data Required for Performance Measures (20 percent of 100)

Applicants must certify their willingness and capacity to participate in an evaluation to be managed by the National Institute of Justice. Capacity may be demonstrated by: documenting participation in prior evaluations, existence of data management systems, or program maturity and/or stability. For innovative programs, applicants should provide evidence that the program model has shown promise in being effective.

For all categories, 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. For each performance measure selected, describe: 1) what data will be collected, 2) how it will be collected, 3) how it will be assessed/analyzed; and 4) the process for reporting the findings and outcomes, which will measure the impact of the proposed efforts. Outline a project timeline and a strategy for sustaining the project when the federal grant ends, including a plan for sustaining personnel hired with grants funds after the funding has ended.

## **Review Process**

OJP is committed to ensuring a standardized process for awarding grants. The Bureau of Justice Assistance (BJA) reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with program or legislative requirements as stated in the solicitation.

Peer reviewers will be reviewing the applications submitted under this solicitation as well. BJA may use either internal peer reviewers, external peer reviewers or a combination of both to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current U.S. Department of Justice employee. An internal reviewer is an expert in the field of the subject matter of a given solicitation who is a current U.S. Department of Justice employee. Applications will be screened initially to determine whether the applicant meets all eligibility requirements. Only applications submitted by eligible applicants that meet all other requirements (such as timeliness, proper format, required attachments, and responsiveness to the scope of the solicitation) will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations may include, but are not limited to, underserved populations, strategic priorities, past performance, and available funding.

After the peer review is finalized, the Office of the Chief Financial Officer (OCFO), in consultation with BJA, conducts a financial review of all potential discretionary awards and cooperative agreements to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the budget and budget narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable Federal cost principles and agency regulations. OCFO also reviews the award document and verifies the OJP Vendor Number.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the OJP Assistant Attorney General (AAG), who may also give consideration to factors including, but not limited to, underserved populations, strategic priorities, past performance, applicant's proximity to the Southern border and available funding when making awards.

## **Additional Requirements**

Successful applicants selected for awards under this Recovery Act solicitation must agree to comply with additional applicable requirements prior to receiving grant funding. We strongly encourage you to review the list below pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at [www.ojp.usdoj.gov/recovery/solicitationrequirements.htm](http://www.ojp.usdoj.gov/recovery/solicitationrequirements.htm).



- Civil Rights Compliance
- Funding to Faith-Based Organizations
- Confidentiality and Human Subjects Protection
- Anti-Lobbying Act
- Financial and Government Audit Requirements, includes Single Audit Act Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards
- Single Point of Contact Review
- Non-Supplanting of State and Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs [\*Financial Guide\*](#)
- Suspension or Termination of Funding
- Non-Profit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Recovery Act Reporting Requirements; Section 1512(c) of the Recovery Act
- Section 1511 of the Recovery Act: Certifications
- Section 1602 of the Recovery Act: Preference for Quick-Start Activities
- Section 1604 of the Recovery Act: Limit on Funds
- Section 1605 of the Recovery Act: Buy American
- Section 1606 of the Recovery Act: Wage Rate Requirements
- Section 1607 of the Recovery Act: Additional Funding Distribution and Assurance of Appropriate Use of Funds
- Section 1609 of the Recovery Act: Relating to National Environmental Policy Act

## **Appendix. Templates for Required Certifications**

**Instructions:** Scan signed certifications and submit image files electronically as part of your application package.

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

**Recovery Act – State and Local Law Enforcement Assistance Program: Combating  
Criminal Narcotics Activity Stemming from the Southern Border of the United States**

Certification as to Recovery Act Reporting Requirements

On behalf of the applicant entity named below, I certify the following to the Office of Justice Programs, U.S. Department of Justice:

I have personally read and reviewed the section entitled “Accountability and Transparency under the Recovery Act” in the program announcement for the Recovery Act grant program identified above. I have also read and reviewed section 1512(c) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), concerning reporting requirements for grants. I agree that the applicant will comply with the reporting requirements set forth therein with respect to any grant the applicant may receive under the Recovery Act grant program identified above.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs, and/or by the Department of Justice’s Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Justice Programs).

\_\_\_\_\_  
Signature of Certifying Official

\_\_\_\_\_  
Printed Name of Certifying Official

\_\_\_\_\_  
Title of Certifying Official

\_\_\_\_\_  
Full Name of Applicant Entity

\_\_\_\_\_  
Date

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

**Recovery Act – State and Local Law Enforcement Assistance Program: Combating  
Criminal Narcotics Activity Stemming from the Southern Border of the United States**

General Certification as to Requirements for Receipt of Funds  
for Infrastructure Investments

On behalf of the applicant state or unit of local government (including tribal government) named below, I certify the following to the Office of Justice Programs (“OJP”), U.S. Department of Justice:

I have personally read and reviewed the section entitled “Eligibility” in the program announcement for the Recovery Act grant program named above. I also have personally read and reviewed section 1511 of the American Recovery and Reinvestment Act of 2009 (the “Recovery Act”), which requires a specific certification prior to receipt of Recovery Act funds for infrastructure investments.

*Initial the statement that applies:*

\_\_\_\_\_ The applicant identified below **does not intend to use** any portion of any funds received under this Recovery Act grant program for any infrastructure investment. Should this intention change, the applicant will promptly notify OJP, and (except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law) will not draw down, obligate, or expend any funds received under this Recovery Act program for any infrastructure investment project until section 1511 of the Recovery Act has been satisfied, and an adequate project-specific certification has been executed, posted, and submitted to OJP.

\_\_\_\_\_ The applicant identified below **does intend to use** some or all of any funds received under this Recovery Act grant program for one or more infrastructure investment projects. Except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law, I agree that the applicant entity will execute, post, and submit to OJP, prior to obligating, expending, or drawing down funds for such project, a project-specific certification that satisfies all of the requirements of section 1511 (including execution by the Governor, mayor, or other chief executive, as appropriate) for each such infrastructure investment project.

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

General Certification as to Requirements for Receipt of Funds  
for Infrastructure Investments

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant (that is, the governmental entity applying directly to the Office of Justice Programs).

\_\_\_\_\_  
Signature of Certifying Official

\_\_\_\_\_  
Printed Name of Certifying Official

\_\_\_\_\_  
Title of Certifying Official

\_\_\_\_\_  
Full Name of Applicant Government Entity

\_\_\_\_\_  
Date