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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for direct grants to states through the Justice Reinvestment Initiative: Maximizing State Reforms. This program furthers the Department's mission by challenging units of state government and federally recognized Indian tribes to design and implement a strategy to further the goals of a state's justice reinvestment reform efforts, including the commitment to data-driven decisionmaking and investment in evidence-based practices and programs.

## **Justice Reinvestment Initiative: Maximizing State Reforms FY 2017 Competitive Grant Announcement**

**Application Due: February 7, 2017**

### **Eligibility**

Eligible applicants are units of state government and federally recognized Indian tribal governments (as determined by the Secretary of the Interior) that can demonstrate substantial completion of the Justice Reinvestment Initiative model (see the Selection Criteria on page 30 for the key components of the model). States that underwent a formal justice reinvestment process prior to BJA's launch of the Justice Reinvestment Initiative in 2010 are eligible to apply.

BJA will consider only one application per state or per tribal government. If more than one application is submitted for a state or tribal government, BJA will consider only the application that has received support from the Justice Reinvestment Initiative oversight council, committee, or task force charged with monitoring implementation and outcomes.

BJA welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed subrecipients ("subgrantees")<sup>1</sup>. The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire project. Eligible entities may submit applications on behalf of a consortium of governmental and nongovernmental partners to design and implement a strategy to further the goals of a state's justice reinvestment efforts, although this partnership is not mandatory. Under this solicitation, only one application by any particular applicant entity will be considered. An entity may, however, be proposed as a subrecipient ("subgrantee") in more than one application.

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<sup>1</sup> For additional information on subawards, see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

BJA may elect to fund applications submitted under this FY 2017 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

## Deadline

Applicants must register with [Grants.gov](http://Grants.gov) prior to submitting an application. All applications are due by 11:59 p.m. eastern time on February 7, 2017.

To be considered timely, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP encourages all applicants to read this [Important Notice: Applying for Grants in Grants.gov](#).

For additional information, see [How to Apply](#) in Section D. Application and Submission Information.

## Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, or via email to [support@grants.gov](mailto:support@grants.gov). The [Grants.gov](http://Grants.gov) Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For assistance with any unforeseen Grants.gov technical issues beyond an applicant's control that prevent it from submitting its application by the deadline, or any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email [grants@ncjrs.gov](mailto:grants@ncjrs.gov); fax to 301-240-5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Additional information on reporting technical issues appears under "Experiencing Unforeseen Grants.gov Technical Issues" in the [How to Apply](#) section.

Grants.gov number assigned to this solicitation: BJA-2017-11362

Release date: December 13, 2016

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# Justice Reinvestment Initiative: Maximizing State Reforms

## CFDA #16.827

### A. Program Description

#### Overview

Approximately 2.3 million people were incarcerated in federal, state, and local prisons and jails in 2014, a rate of 1 out of every 111 adults.<sup>2</sup> Many prison populations remain near all-time high levels and face crowding or resource challenges, and state spending on corrections has remained high. Over the last 25 years, state corrections expenditures have increased exponentially—from \$12 billion in 1988 to more than \$57.2 billion estimated for 2015, a significant increase even accounting for inflation.<sup>3</sup>

Justice reinvestment emerged as a way to address these issues through a targeted, data-driven policymaking process. BJA, in a public/private partnership with The Pew Charitable Trusts, launched the Justice Reinvestment Initiative (JRI) in 2010 as a multistaged process in which a jurisdiction reduces unnecessary incarceration, increases the cost-effectiveness of its criminal justice system and reinvests savings into high-performing public safety strategies.

Under the JRI model, a governmental working group with bipartisan and interbranch representation analyzes the correctional population and its cost drivers, develops cost-effective policy options, and implements reforms to manage correctional populations while enhancing public safety. JRI jurisdictions reinvest these cost savings into high-performing initiatives that make communities safer. In addition to reducing prison populations, justice reinvestment encourages states to embrace a culture of greater collaboration, data-driven decisionmaking, and increased use of evidence-based practices.

The *JRI State Assessment Report*, funded by BJA and authored by the Urban Institute, showed that the 17 JRI states included in the analysis are making steady progress toward achieving the goals of JRI: reducing correctional spending and reinvesting in recidivism-reduction strategies.<sup>4</sup> Of the 17 states, 8 had JRI policies in effect for at least one year. All eight have experienced meaningful reductions in their prison populations, and five of them have met or exceeded their population reduction goals. While the full impact of justice reinvestment reforms is not yet known, the policies enacted in JRI states hold great promise to reduce prison populations, achieve substantial cost savings, and avert future growth. The Urban Institute continues to track outcomes in these 17 states and in the additional 7 states that have undertaken justice reinvestment efforts under JRI since the *JRI State Assessment Report*.

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<sup>2</sup> Bureau of Justice Statistics, *Correctional Populations in the United States, 2014* (Dec. 2015), <http://www.bjs.gov/content/pub/pdf/cpus14.pdf>.

<sup>3</sup> National Association of State Budget Officers, *State Expenditure Report: Examining Fiscal 2013-2015 State Spending* (2015), <https://www.nasbo.org/mainsite/reports-data/state-expenditure-report>.

<sup>4</sup> Urban Institute, *JRI State Assessment Report* (Jan. 2014), <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/412994-Justice-Reinvestment-Initiative-State-Assessment-Report.PDF>.

The report also revealed that many JRI states have issues in common and have focused on similar priorities. Each state's criminal justice system is unique, requiring detailed analysis to determine factors behind prison growth and corrections spending. However, many of the states found similar factors driving populations and costs—for example, parole and probation revocation rates; sentencing policies and practices that favored incarceration of low-risk individuals over alternatives and that resulted in long lengths of stay; insufficient or inefficient community supervision, services, and support; and parole system processing delays and denials. The policy responses to these issues also overlapped, sharing themes of evidence-based practices and data-driven decisionmaking, including risk and needs assessments; accountability measures such as performance and outcome measure reporting; earned credits to encourage compliance with conditions of community supervision; sentencing changes; swift, certain, and fair responses to technical probation and parole violations, mandatory post-incarceration supervision requirements; problem-solving courts; streamlined parole processes and expanded parole eligibility; and reentry programs to reduce recidivism.

### **Statutory Authority**

Funding for this initiative is anticipated through the Fiscal Year 2017 Department of Justice appropriation. Any awards under this solicitation would be made under statutory authority provided by a full-year appropriations act for FY 2017. As of the writing of this solicitation, the Department of Justice is operating under a short-term "Continuing Resolution;" no full-year appropriation for the Department has been enacted for FY 2017.

### **Program-Specific Information**

The FY 2017 Justice Reinvestment Initiative: Maximizing State Reforms challenges states to achieve the full impact of their JRI reforms. Funds can be used to target local sites to achieve greater impact; promote the use of evidence-based programs and strategies by third-party treatment and programming providers; enhance paroling authorities' use of evidence-based policy, practice, and decisionmaking; create or expand the continuum of pretrial options in one or more jurisdictions; develop and pilot measures and analyses that account for population characteristics including crime type, risk level, age, and criminal history; establish or enhance performance incentive funding programs to encourage successful integration of evidence-based practices in community supervision; pilot or scale up swift and certain intermediate sanctions; expand evidence-based reentry programs for individuals at high-risk of recidivism, or other uses that further the state's justice reinvestment goals (see Allowable Uses for Award Funds on pages 6-8).

BJA expects that a committee, task force, or working group tasked with oversight of the state's justice reinvestment efforts will designate an agency to act as the legal applicant for this grant program. The state group should engage in a planning process to determine the most appropriate focus for this project and the most suitable applicant and partners. BJA expects that applicants will document support by the state's JRI oversight group through a letter attached to the application (see Additional Attachments on page 23).

Successful applicants will receive technical assistance tailored to the proposed activities through the Center for Effective Public Policy, which is funded by BJA to assist JRI Maximizing State Reforms Grantees.

## Goals, Objectives, and Deliverables

The goal of this program is to cement or amplify the goals of states' justice reinvestment reform efforts, deepening their investment in and commitment to use of data-driven decisionmaking and evidence-based practices and programs. The objectives of the program are the following:

- Increase corrections costs saved or avoided by reducing unnecessary confinement.
- Increase reinvestment in evidence-based practices that reduce recidivism.
- Promote and increase collaboration and data sharing among agencies and officials who work in criminal justice that support justice reinvestment reform efforts, including state and local policymakers, law enforcement, prosecution, defense, pretrial, courts, probation, treatment, corrections, reentry, and parole.
- Enhance the translation of evidence into practice by supporting the use of data analysis results to inform practice, procedure, and policy decisions.
- Implement JRI legislative reforms in one or more local jurisdictions that are principal drivers of state and local corrections population growth.

The Goals, Objectives, and Deliverables are directly related to the performance measures set out in the table in [Section D. Application and Submission Information](#), under "Program Narrative."

## Allowable Uses for Award Funds

Allowable uses for award funds can include one or more of the following activities to increase or cement the gains achieved by state JRI sites:

- **Target local sites.** Applicant states may identify one or more jurisdictions that are top feeders into the state prison system to target and amplify the impact of the state-level JRI policies enacted in legislation. Proposals that target jurisdictions within the state should document the proportion of state prison admissions that originate from those jurisdictions and design a program to implement JRI legislative reforms to reduce the number of admissions. Applicants may use funds to work collaboratively with local or tribal government leadership and criminal justice stakeholders to infuse evidence-based policy and practice into arrests, prosecutorial charging decisions, pretrial detention, sentencing and diversion, revocations from probation or parole, or other drivers of the corrections population. Applicants may also work with local community-based organizations to increase capacity of those organizations to deliver targeted services and supports to individuals who have been diverted from prison and/or released from prison to increase those individuals' chances of success.
- **Promote the use of evidence-based programs and strategies by third-party service providers that provide substance abuse, mental health, and behavioral health treatment; diversion programming to support alternatives to incarceration (such as drug and problem solving courts); aftercare; and reentry services.** For many individuals, community-based treatment and alternatives to incarceration are more effective and less costly than incarceration. As agencies seek strategically and systematically to increase community-based services and alternatives for individuals for whom such treatment and placements are safe and appropriate, it is vital to ensure that these services align with the principles of effective intervention, implement evidence-based principles with fidelity, meet the needs of the target populations, and achieve performance and outcome

expectations. Accordingly, applicants may propose a project that provides alternatives to incarceration such as day treatment facilities and outpatient and residential mental health and drug treatment programs, and that enables them to hold service providers accountable for providing high-quality, effective services. Applicants can use funds to assess and/or enhance the extent to which service providers are using validated risk and needs assessment tools, ensuring appropriate treatment or programming dosage and responsiveness, and implementing evidence-based programs and strategies with fidelity. Funds may be used to provide training in evidence-based practices to contracted service providers. Another use may be to develop statewide evidence-based standards for drug and problem solving courts that prioritize the needs of high risk, high needs justice-involved individuals and reduce recidivism. Funds also may be used to plan for and implement a performance-based contracting system for treatment and service providers. Applicants are encouraged to leverage opportunities to expand health insurance coverage and expand access and utilization of primary and behavioral healthcare treatment.

- **Enhance paroling authorities' evidence-based policy, practice, and decisionmaking.** In several JRI states, data analysis revealed that parole system processing delays and denials were a significant contributor to the growth of the state prison population. Applicants can use grant funding to enhance parole decisionmaking in a comprehensive fashion, including the use of empirically based tools to assess individuals' risk and criminogenic needs, guidelines that provide structure and consistency to parole decisionmaking, training on evidence-based practices including engagement skills of parole board members, and collaborative partnerships with corrections and community supervision agencies and others to facilitate a safe transition to the community. To support the parole supervision function, BJA allows uses of funds for performance-incentive funding programs, intermediate sanctions, and any other evidence-based strategy to further the state's JRI goals (see below).
- **Create or expand the continuum of pretrial options in one or more jurisdictions including tribal jurisdictions.** Several JRI states targeted changes to pretrial release and supervision decisions and processes to address this driver of the corrections population. Applicants may use grant funds to pilot, or expand capacity to provide, the least restrictive release conditions necessary to promote public safety and ensure defendants' return to court. Applicants could propose to build a continuum of options to address the range of risk and needs presented by individuals at this stage in the criminal justice process, including use of citations in lieu of arrests; release on recognizance; release with telephone or SMS messages to remind defendants of court dates; release with conditions such as remaining drug- or alcohol-free, maintaining no contact with a person or place, or regular reporting by phone, kiosk, or in person; release with supervision or diversion (e.g., case management, home visits, and/or treatment); alternatives to pretrial detention for individuals with mentally illness, and pretrial detention. Applicants are encouraged to leverage opportunities to expand health insurance coverage and expand access and utilization of primary and behavioral healthcare treatment. For more information about pretrial options and research, applicants may refer to [Risk-Based Pretrial Release Recommendation and Supervision Guidelines](#).
- **Develop and deploy analyses that provide useful and accurate population and recidivism information and that account for population characteristics including crime type, risk level, and criminal history.** Applicants should propose to create a model for comparing expected recidivism with actual recidivism that controls for salient characteristics of the population, such as crime type, risk, age, and criminal history. Using

that model, applicants should propose to evaluate the effectiveness of at least one intervention or policy, for example, a prison-based cognitive behavioral therapy or substance abuse program, effectiveness of specialized caseloads, earned compliance credits, a vocational training program, or mandatory post-incarceration supervision. Such an evaluation would compare expected recidivism with actual recidivism, controlling for population characteristics, such as crime type and risk. Many JRI states share the goal of reserving prison space for those who have committed serious or violent crimes and those who pose a high public safety risk. Therefore, applicants may also use funding to develop and pilot a metric to indicate the percentage of the prison population comprising these individuals. A project of this kind should go beyond statutory definitions of “serious” or “violent” crimes to provide a more accurate picture of the prison population. In addition, as JRI states reduce the number of low-risk individuals confined in prison, recidivism rates may increase as a natural consequence of holding a higher proportion of high-risk individuals. Applicants may use funding to develop separate recidivism scores for different risk levels and to analyze survival rates at various time intervals (i.e., event history analysis to determine “time to failure”). Proposals in this category should include a plan to document the methodology, process, and lessons learned so that other jurisdictions can replicate the applicant’s results.

- **Establish or enhance performance incentive funding (PIF) programs to encourage successful integration of evidence-based practices in community supervision.** PIF programs support community supervision agencies' use of evidence-based practices to reduce recidivism by rewarding such agencies when their use of evidence-based practices results in savings to the state in terms of reduced commitments to the state prison system due to revocations of supervision. Applicants may use funding to seed or scale up PIF programs. For more information on performance incentive funding programs, applicants may refer to [Performance Incentive Funding: Aligning Fiscal and Operational Responsibility to Produce More Safety at Less Cost](#).
- **Pilot or scale up intermediate and graduated responses to increase successful completions of supervision and support behavior change.** Legislation in several JRI states established pilot programs for swift and certain sanctions strategies to encourage supervision compliance. Applicants may propose funding collaborative community supervision strategies that incorporate principles of swiftness (timely responses), certainty (responding to both positive and negative behaviors in a transparent fashion), and fairness (procedural justice elements) in one or more jurisdictions. Applicants may also propose to scale up existing pilots to take these initiatives to a greater number of jurisdictions or statewide. These proposals should include a plan to collect relevant data and track outcomes. To learn more about swift and certain sanctions, applicants can refer to the following resources:
  - [Effective Responses to Offender Behavior: Lessons Learned for Probation and Parole Supervision](#)
  - [Swift Certain Fair Resource Center](#)
  - [Court Review: Special Issue on Procedural Fairness](#)
- **Develop and implement another evidence-based strategy to further the state’s justice reinvestment goals.** Applicants may also develop another strategy, not listed here, that furthers the state’s justice reinvestment goals and is in keeping with the goals of JRI. These proposals should clearly articulate objectives and link them to one or more policy option(s) developed as part of the state’s justice reinvestment efforts. Such proposals should also

clearly cite and describe the research supporting the proposed evidence-based strategy.

### **Evidence-Based Programs or Practices**

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates.
- Integrating evidence into program, practice, and policy decisions within OJP and the field.
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. The [OJP CrimeSolutions.gov](http://OJP.CrimeSolutions.gov) website is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

## **B. Federal Award Information**

BJA expects to make two to three awards of up to \$1,750,000 each for an estimated total of \$3,500,000. BJA expects to make awards for a 36-month period of performance, to begin on or about October 1, 2017.

BJA may, in certain cases, provide additional funding in future years to awards made under this solicitation, through supplemental awards. In making decisions regarding supplemental awards, OJP will consider, among other factors, the availability of appropriations, OJP's strategic priorities, and OJP's assessment of both the management of the award (for example, timeliness and quality of progress reports), and the progress of the work funded under the award.

All awards are subject to the availability of appropriated funds, and to any modifications or additional requirements that may be imposed by law.

### **Type of Award**

BJA expects that it will make any award in the form of a grant. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

## **Financial Management and System of Internal Controls**

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities<sup>5</sup>) must, as described in the Part 200 Uniform Requirements<sup>6</sup> as set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) Evaluate and monitor [the recipient’s (and any subrecipient’s)] compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available [here](#).

## **Budget Information**

### **Cost Sharing or Match Requirement**

This solicitation has a conditional match requirement, described further below.

### **Match Requirement (based on federal award amount)**

If a state has measured and reinvested savings (either projected or actual costs saved or avoided) into evidence-based strategies to reduce recidivism and make communities safer (see Selection Criteria on page 30) then a match is not required. If such a state proposes a voluntary

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<sup>5</sup> For purposes of this solicitation, the phrase “pass-through entity” includes any recipient or subrecipient that provides a subaward (“subgrant”) to a subrecipient (“subgrantee”) to carry out part of the funded award or program.

<sup>6</sup> The “Part 200 Uniform Requirements” means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

match amount, however, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

If a state has not measured and reinvested savings (see Selection Criteria on page 30), a match is required, and the following requirements apply:

- Federal award funds require a 100% match from non-federal sources.<sup>7</sup> The amount of the match must equal the amount of federal funds being sought.
- For each federal dollar awarded, the recipient must provide one dollar toward the project.
- Match funds are subject to the same regulations and restrictions as the federal funds for this program (see Federal Award Information on page 9).
- Applicants must identify the source of the non-federal funds and how they will use the funds. If a successful applicant's proposed match exceeds the required match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.
- Applicants may satisfy this match requirement with cash, in-kind services, or a combination of the two.
- Match funds must be used for one or more of the state's reinvestment strategies identified in the justice reinvestment process. For example, match funding can be used to expand or improve community-based treatment only if the JRI legislation or task force identified community-based treatment as a reinvestment priority. As another example, match funding could be used for skills-based trainings for probation officers if the state's reinvestment strategies included more effective community supervision.
- Applicants must identify the target(s) of the reinvestment match with specificity, including, if applicable, names of agencies, service providers, or staff positions to be funded; a description of the kind of service to be provided or functions to be performed; what period of time will be covered; and amounts of funding. Applicants must document these commitments by including relevant attachments to the application (see Additional Attachments on page 23).

**Example:** For a federal award amount of \$1,750,000, the required reinvestment match is \$1,750,000.

For additional information cost sharing and match, see the [DOJ Grants Financial Guide](#).

### **Pre-Agreement Costs (also known as Pre-award Costs)**

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the federal award.

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<sup>7</sup> Indian tribes and tribal organizations that otherwise are eligible for an award may be able to apply certain types of funds received from the federal government (for example, certain funds received under an Indian "self-determination contract") to satisfy all or part of a required "non-federal" match.

OJP does **not** typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the [DOJ Grants Financial Guide](#) for more information.

### **Limitation on Use of Award Funds for Employee Compensation; Waiver**

With respect to any award of more than \$250,000 made under this solicitation, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the recipient at a rate that exceeds 110% 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.<sup>8</sup> The 2016 salary table for SES employees is available at the Office of Personnel Management [website](#). Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that requests a waiver should include a detailed justification in the budget narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that OJP will require the applicant to adjust and resubmit the budget.

The justification should address – in the context of the work the individual would do under the award – the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or project, and a statement that explains whether and how the individual's salary under the award would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

### **Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs**

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at [www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](http://www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm). OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients,

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<sup>8</sup> OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.

as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

### **Costs Associated with Language Assistance (if applicable)**

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services, where appropriate.

For additional information, see the "Civil Rights Compliance" section under "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards" in the [OJP Funding Resource Center](#).

## **C. Eligibility Information**

For eligibility information, see title page.

For information on cost sharing or matching requirements, see [Section B. Federal Award Information](#).

## **D. Application and Submission Information**

### **What an Application Should Include**

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, this may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJA has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJA has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, and Budget Narrative. Applicants may combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one budget document, it must contain **both** narrative and detail information. Review the "Note on File Names and File Types" under [How to Apply](#) to be sure applications are submitted in permitted formats.

*OJP strongly recommends that applicants use appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Position Descriptions and Résumés") for all attachments. Also, OJP recommends that applicants include résumés in a single file.*

## 1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and the OJP Grants Management System (GMS) take information from the applicant's profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, select "For-Profit Organization" or "Small Business" (as applicable).

To avoid processing delays, applicants must include an accurate legal name on their SF-424. Current OJP award recipients, when completing the field for "Legal Name" should use the same legal name that appears on the prior year award document which is also the legal name stored in OJP's financial system. On the SF-424, enter the Legal Name in box 5 and Employer Identification Number (EIN) in box 6 exactly as it appears on the prior year award document. Applicants with current awards must ensure that their GMS profile is current. If it isn't they should submit a Grant Adjustment Notice updating the information on their GMS profile prior to applying under this solicitation.

New applicants should enter the Official Legal Name and address of the applicant entity in box 5 and the EIN in box 6 of the SF-424. Applicants must attach official legal documents to their applications (e.g., articles of incorporation, 501C3, etc.) to confirm the legal name, address, and EIN entered into the SF-424.

**Intergovernmental Review:** This solicitation ("funding opportunity") is subject to [Executive Order 12372](#). An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: [www.whitehouse.gov/omb/grants\\_spoc/](http://www.whitehouse.gov/omb/grants_spoc/). If the State appears on the SPOC list, the applicant must contact the State SPOC to find out about, and comply with, the State's process under E.O. 12372. In completing the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19 once the applicant has complied with its State E.O. 12372 process. (An applicant whose State does not appear on the SPOC list should answer question 19 by selecting the response that the "Program is subject to E.O. 12372 but has not been selected by the State for review.")

## 2. Project Abstract

Applications should include a high-quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be—

- Written for a general public audience.
- Submitted as a separate attachment with "Project Abstract" as part of its file name.
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins.

Project abstracts should include the following clearly labeled and delineated information:

- Legal name of the grant recipient and the title of the project.
- Project's goals and deliverables and how the goals relate to the state's JRI goals.
- Project design elements including the allowable uses of funds that will be incorporated into the project.
- If applicable, the projected number of participants to be served through the project and target population characteristics and target geographical area, if applicable.

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

All project abstracts should follow the detailed template available at [ojp.gov/funding/Apply/Resources/ProjectAbstractTemplate.pdf](http://ojp.gov/funding/Apply/Resources/ProjectAbstractTemplate.pdf).

BJA requests that the abstract also be submitted as a text file, such as Word .doc format.

**Permission to Share Project Abstract with the Public:** It is unlikely that OJP will be able to fund all applications submitted under this solicitation, but it may have the opportunity to share information with the public regarding unfunded applications, for example, through a listing on a web page available to the public. The intent of this public posting would be to allow other possible funders to become aware of such applications.

In the project abstract template, applicants are asked to indicate whether they give OJP permission to share their project abstract (including contact information) with the public. Granting (or failing to grant) this permission will not affect OJP's funding decisions. Moreover, if the application is not funded, providing permission will not ensure that OJP will share the abstract information, nor will it assure funding from any other source.

Please submit a version of the abstract (in addition to the Word version) using the detailed template available at <http://ojp.gov/funding/Apply/Resources/ProjectAbstractTemplate.pdf>.

**Note:** OJP may choose not to list a project that otherwise would have been included in a listing of unfunded applications, should the abstract fail to meet the format and content requirements noted above and outlined in the project abstract template.

### 3. Program Narrative

The program narrative must respond to the solicitation and the Selection Criteria (a-e) in the order given. The program narrative must be double-spaced, using a standard 12-point font (Times New Roman is preferred) with no less than 1-inch margins, and must not exceed 15 pages. Number pages "1 of 15," "2 of 15," etc.

If the program narrative fails to comply with these length-related restrictions, BJA may consider such noncompliance in peer review and in final award decisions.

The following sections should be included as part of the program narrative<sup>9</sup>: See "Selection Criteria" on page 30 for more information about what each section should include.

- a. Statement of the Problem
- b. Project Design and Implementation
- c. Capabilities and Competencies
- d. Plan for Collecting the Data Required for this Solicitation's Performance Measures

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<sup>9</sup> For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

OJP will require each successful applicant to submit specific performance measures data as part of its reporting under the award (see [“General Information about Post-Federal Award Reporting Requirements”](#) in [Section F. Federal Award Administration Information](#)). The performance measures correlate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables" in [Section A. Program Description](#).

The application should describe the applicant's plan for collection of all of the performance measures data listed in the table below under “Data Recipient Provides,” should it receive funding.

Objective	Catalog ID	Performance Measure(s)	Data Grantee Provides
Increase corrections costs saved or avoided by reducing unnecessary confinement	541	Percent increase in costs saved since the previous fiscal year	During the current fiscal year: Corrections costs attributable to confined population prior to project implementation
	541	Percent increase in costs avoided since the previous fiscal year	Corrections population forecast for the current fiscal year
	76	Percent increase in funds reinvested since the previous fiscal year	A. Corrections costs saved due to a decrease in the confined population B. Corrections costs avoided due to a confined population that is smaller than forecast by population projections C. Amount reinvested in strategies or programs that were identified as targets as part of the state’s justice reinvestment efforts
	625	Percent decrease in the confined (prison) population	During the reporting period: A. Number of new admissions to prison B. Number of individuals released from prison C. As of the last day of the reporting period, number of

	405	Number of strategies implemented to reduce unnecessary confinement	<p>individuals confined in prison</p> <p>Number of strategies implemented to reduce unnecessary confinement by type, to include but not limited to:</p> <ul style="list-style-type: none"> <li>a) Prosecutorial charging decisions</li> <li>b) Arrest decisions</li> <li>c) Pretrial detention</li> <li>d) Sentencing and diversion</li> <li>e) Probation or parole</li> <li>f) Risk and needs assessment</li> <li>g) Other drivers of the corrections population</li> </ul>
Increase reinvestment in evidence-based practices that have been shown to reduce recidivism	258	Number of new or updated policies, procedures, strategies, or interventions implemented in accordance with the governing evidence-based principles	Number of new or updated policies, procedures, strategies, or interventions implemented in accordance with the governing evidence-based principles
	321	Number of programs assessed as successfully implementing an evidence-based model	Number of programs assessed as successfully implementing an evidence-based model/practice

Increase collaboration among agencies and officials who work in criminal justice that support justice reinvestment reform efforts	54	Percentage of project plan tasks completed	During the reporting period: A. Number of project tasks B. Number of project tasks completed
	54	Number of deliverables that meet expectations as determined by BJA	Number of deliverables that meet expectations as determined by BJA
Enhance the translation of evidence into practice by supporting the use of data analysis results to inform practice, procedure, and policy decisions	352	Number of analytic reports produced	A. Number of analysis reports produced B. Number of analysis reports delivered to policymakers
	353	Number of analytic reports submitted	C. Number of different stakeholder groups consulted D. Number of meetings with stakeholder groups held
	146	Number of meetings with stakeholder groups	E. Number of meetings at which steering committee or task force members received implementation progress updates supported by data

**Note on Project Evaluations**

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute “research” for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP’s performance measure data reporting requirements, likely do not constitute “research.” Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 (“Protection of Human Subjects”).

Research, for purposes of human subjects protection for OJP-funded programs, is defined as “a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge.” 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the “Research and the protection of human subjects” section of the [“Requirements related to Research”](#) web page of the "Overview of Legal Requirements Generally Applicable to OJP

Grants and Cooperative Agreements - FY 2017," available through the [OJP Funding Resource Center](#). Every prospective applicant whose application may propose a research or statistical component also should review the "Data Privacy and Confidentiality Requirements" section on that web page.

- e. Impact/Outcomes, Evaluation, and Sustainment

#### 4. Budget and Associated Documentation

##### a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at <http://ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf>. An applicant that submits its budget in a different format should use the budget categories listed in the sample budget worksheet. The Budget Detail Worksheet should be broken down by year. For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants Financial Guide at [DOJ Grants Financial Guide](#).

See "Selection Criteria" on page 30 for more detail on what a budget for the Justice Reinvestment Initiative: Maximizing State Reforms Program should include.

##### b. Budget Narrative

The budget narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

An applicant should demonstrate in its budget narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs without compromising quality.

The budget narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the budget narrative should describe costs by year.

##### c. Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)

Applicants for OJP awards typically may propose to make "subawards." Applicants also may propose to enter into procurement "contracts" under the award.

Whether—for purposes of federal grants administrative requirements—a particular agreement between a recipient and a third party will be considered a "subaward" or instead considered a procurement "contract" under the award is determined by federal rules and applicable OJP guidance. It is an important distinction, in part because the federal administrative rules and requirements that apply to "subawards" and to procurement "contracts" under awards differ markedly.

In general, the central question is the relationship between what the third-party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a subaward for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a “subaward” or is instead a procurement “contract” under an award.

Additional guidance on the circumstances under which (for purposes of federal grants administrative requirements) an agreement constitutes a subaward as opposed to a procurement contract under an award, is available (along with other resources) on the [OJP Part 200 Uniform Requirements](#) web page.

### **1. Information on proposed subawards**

A recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) subawards, a recipient must have authorization from OJP before it may make a subaward.

A particular subaward may be authorized by OJP because the recipient included a sufficiently detailed description and justification of the proposed subaward in the application as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not sufficiently described and justified in the application as approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, the applicant should-- (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative, but also in the Budget Detail Worksheet and budget narrative.

### **2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)**

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2

C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and budget narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement “contracts” under awards will be entered into on the basis of full and open competition. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a non-competitive approach for the procurement.

An applicant that (at the time of its application) intends—without competition—to enter into a procurement “contract” that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition. Various considerations that may be pertinent to the justification are outlined in the [DOJ Grants Financial Guide](#).

**d. Pre-Agreement Cost Approvals**

For information on pre-agreement costs, see [Section B. Federal Award Information](#).

**5. Indirect Cost Rate Agreement (if applicable)**

Indirect costs may be charged to an award only if:

- (a) The recipient has a current (that is, unexpired), federally-approved indirect cost rate; or
- (b) The recipient is eligible to use, and elects to use, the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (that is, unexpired) federally-approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally-approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant’s accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the OCFO Customer Service Center at 1-800-458-0786 or at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov). If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <http://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

Certain OJP recipients have the option of electing to use the “de minimis” indirect cost rate. An applicant that is eligible to use the “de minimis” rate that wishes to use the “de minimis” rate should attach written documentation to the application that advises OJP of both (1) the applicant’s eligibility to use the “de minimis” rate, and (2) its election to do so. If an eligible applicant elects the “de minimis” rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The “de minimis” rate may no longer be used once an approved federally-negotiated indirect cost rate is in place. (No entity that ever has had a federally-approved negotiated indirect cost rate is eligible to use the “de minimis” rate.)

## **6. Tribal Authorizing Resolution (if applicable)**

A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

## **7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)**

**Every** applicant (other than an individual applying in his/her personal capacity) is to download, complete, and submit the [OJP Financial Management and System of Internal Controls Questionnaire](#), as part of its application.

Among other things, the form requires each applicant to disclose whether it currently is designated “high risk” by a federal grant-making agency outside of DOJ. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant’s past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk.
- The date the applicant was designated high risk.
- The high-risk point of contact at that federal awarding agency (name, phone number, and email address).
- The reasons for the high-risk status, as set out by the federal awarding agency.

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered “high-risk” by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

## **8. Disclosure of Lobbying Activities**

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form Disclosure of Lobbying Activities (SF-LLL). An applicant that does not expend any funds for lobbying activities is to enter “N/A” in the text boxes for item 10 (“a. Name and Address of Lobbying Registrant” and “b. Individuals Performing Services”).

## 9. Additional Attachments

- a. **Letter(s) from JRI task force or oversight group (if applicable)** demonstrating how the strategy expressed in the proposal complements the existing reinvestment strategies and documenting the group's support. If such a group is active, BJA considers this letter to be an important indication that the state has engaged in the strategic planning necessary to this program.
- b. **Letters of Support** from all key partners, detailing the commitment to work with the applicant to promote the mission of the project.
- c. **State-Specific Metrics** adopted by the state oversight council and/or individual state agencies to track implementation and intermediate outcomes of JRI policies. Attach a list or spreadsheet of the measures themselves as well as all data collected and reported to date pursuant to these measures (see Selection Criteria on page 30). Note that these are distinct from the solicitation's performance measures outlined in the table on page 15 of this solicitation (although some may overlap) and should be specific to the applicant state's system and policies.
- d. **Project Timeline** with each project goal, related objective, activity, expected completion date, and responsible person or organization.
- e. **Position Descriptions** for key positions and **Résumés** for personnel in those positions.
- f. **Documentation of Reinvestment Match** (only applies in certain circumstances—see Match Requirement on page 10).
- g. **Applicant Disclosure of Pending Applications**  
Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally-funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to State agencies that will subaward ("subgrant") federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or State funding agency
- The solicitation name/project name
- The point of contact information at the applicable federal or State funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Federal or State Funding Agency
DOJ/COPS	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
HHS/ Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Each applicant should include the table as a separate attachment to its application. The file should be named “Disclosure of Pending Applications.” The applicant Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: “[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally-funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of this application.”

**h. Research and Evaluation Independence and Integrity**

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Each application should include an attachment that addresses both i. and ii. below.

- i. For purposes of this solicitation, each applicant is to document research and evaluation independence and integrity by including one of the following two items:
  - a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest – whether personal or financial or organizational (including on the part of the applicant entity or on the part of staff, investigators, or subrecipients) – that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

- b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified – including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients – that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse's work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.
- ii. In addition, for purposes of this solicitation, each applicant is to address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
    - a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant also is to include an explanation of the specific processes and procedures that the applicant has in place, or will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

- b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant is to provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that the applicant has in place, or will put in place, to identify and eliminate (or, at the very least, mitigate)

any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

#### **i. Disclosure of Process Related to Executive Compensation**

An applicant that is a nonprofit organization may be required to make certain disclosures relating to the processes it uses to determine the compensation of its officers, directors, trustees, and key employees.

Under certain circumstances, a nonprofit organization that provides unreasonably high compensation to certain persons may subject both the organization's managers and those who receive the compensation to additional federal taxes. A rebuttable presumption of the reasonableness of a nonprofit organization's compensation arrangements, however, may be available if the nonprofit organization satisfied certain rules set out in Internal Revenue Service regulations with regard to its compensation decisions.

Each applicant nonprofit organization must state at the time of its application (in the "OJP Financial Management and System of Internal Controls Questionnaire" mentioned earlier) whether or not the applicant entity believes (or asserts) that it currently satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to establishing or invoking a rebuttable presumption of reasonableness of compensation of certain individuals and entities).

A nonprofit organization that states in the questionnaire that it believes (or asserts) that it has satisfied the requirements of 26 C.F.R. 53.4958-6 must then disclose, in an attachment to its application (to be titled "Disclosure of Process related to Executive Compensation"), the process used by the applicant nonprofit organization to determine the compensation of its officers, directors, trustees, and key employees (together, "covered persons").

At a minimum, the disclosure must describe in pertinent detail: (1) the composition of the body that reviews and approves compensation arrangements for covered persons; (2) the methods and practices used by the applicant nonprofit organization to ensure that no individual with a conflict of interest participates as a member of the body that reviews and approves a compensation arrangement for a covered person; (3) the appropriate data as to comparability of compensation that is obtained in advance and relied upon by the body that reviews and approves compensation arrangements for covered persons; and (4) the written or electronic records that the applicant organization maintains as concurrent documentation of the decisions with respect to compensation of covered persons made by the body that reviews and

approves such compensation arrangements, including records of deliberations and of the basis for decisions.

For purposes of the required disclosure, the following terms and phrases have the meanings set out by the Internal Revenue Service for use in connection with 26 C.F.R. 53.4958-6: officers, directors, trustees, key employees, compensation, conflict of interest, appropriate data as to comparability, adequate documentation, and concurrent documentation.

Applicant nonprofit organizations should note that following receipt of an appropriate request, OJP may be authorized or required by law to make information submitted to satisfy this requirement available for public inspection. Also, a recipient may be required to make a prompt supplemental disclosure after the award in certain circumstances (e.g., changes in the way the organization determines compensation).

### How to Apply

Applicants must register in and submit applications through Grants.gov, a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at [www.Grants.gov](http://www.Grants.gov). Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, which operates 24 hours a day, 7 days a week, except on federal holidays.

Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation of registration and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP strongly encourages all prospective applicants to sign up for Grants.gov email [notifications](#) regarding this solicitation. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

**Browser Information:** Grants.gov was built to be compatible with Internet Explorer. For technical assistance with Google Chrome, or another browser, contact Grants.gov Customer Support.

**Note on Attachments:** Grants.gov has two categories of files for attachments: “mandatory” and “optional.” OJP receives all files attached in both categories. Please ensure that all required documents are attached in either Grants.gov category.

**Note on File Names and File Types:** Grants.gov only permits the use of certain specific characters in the file names of attachments. Valid file names may include only the characters shown in the table below. Grants.gov rejects any application that includes an attachment(s) with a file name that contains any characters not shown in the table below. Grants.gov forwards successfully-submitted applications to the OJP Grants Management System (GMS).

Characters	Special Characters		
Upper case (A – Z)	Parenthesis ( )	Curly braces { }	Square brackets [ ]

Lower case (a – z)	Ampersand (&)	Tilde (~)	Exclamation point (!)
Underscore ( _ )	Comma ( , )	Semicolon ( ; )	Apostrophe ( ‘ )
Hyphen ( - )	At sign ( @ )	Number sign ( # )	Dollar sign ( \$ )
Space	Percent sign ( % )	Plus sign ( + )	Equal sign ( = )
Period ( . )	<b>Applicants must use the “&amp;” format in place of the ampersand (&amp;) when using XML format for documents.</b>		

**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.” GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps:

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System ["DUNS"] number) requirements. If an applicant entity has not fully complied with applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

An individual who wishes to apply in his/her personal capacity should search Grants.gov for funding opportunities for which individuals are eligible to apply. Use the Funding Opportunity Number (FON) to register. (An applicant applying as an individual must comply with all applicable Grants.gov individual registration requirements.)

Complete the registration form at <https://apply07.grants.gov/apply/IndCPRegister> to create a username and password for Grants.gov. (An applicant applying as an individual should complete all steps except 1, 2 and 4.)

**1. Acquire a unique entity identifier ("DUNS" number).** In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at [www.dnb.com](http://www.dnb.com). A DUNS number is usually received within 1-2 business days.

**2. Acquire registration with the System for Award Management (SAM).** SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete.

An application cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. Once the SAM registration/renewal is complete, **the information transfer from SAM to Grants.gov can take as long as 48 hours.** OJP recommends that the applicant register or renew registration with SAM as early as possible.

Information about SAM registration procedures can be accessed at <https://www.sam.gov/portal/SAM/#1>.

- 3. Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. An applicant entity's unique entity identifier (currently, DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to [www.grants.gov/web/grants/register.html](http://www.grants.gov/web/grants/register.html). Individuals registering with Grants.gov should go to <http://www.grants.gov/web/grants/applicants/individual-registration.html>.
- 4. Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.
- 5. Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance ("CFDA") number for this solicitation is 16.827, titled "Justice Reinvestment Initiative," and the funding opportunity number is BJA-2017-11362.
- 6. Submit a valid application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date, to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification. Applications must be successfully submitted through Grants.gov by 11:59 p.m. eastern time on February 7, 2017.

Click [here](#) for further details on DUNS numbers, SAM, and Grants.gov registration steps and timeframes.

**Note: Application Versions**

If an applicant submits multiple versions of the same application, OJP will review only the most recent system-validated version submitted.

## **Experiencing Unforeseen Grants.gov Technical Issues**

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline may contact the Grants.gov [Customer Support Hotline](#) or the [SAM Help Desk](#) (Federal Service Desk) to report the technical issue and receive a tracking number. The applicant may email the BJA contact identified in the Contact Information section on the title page **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties, and must include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s).

**Note: OJP does not automatically approve requests to submit a late application.** After OJP reviews the applicant's request, and contacts the Grants.gov or SAM Help Desks to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time (SAM registration and renewal can take as long as 10 business days to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)
- Failure to follow Grants.gov instructions on how to register and apply as posted on its website.
- Failure to follow each instruction in the OJP solicitation.
- Technical issues with the applicant's computer or information technology environment, such as issues with firewalls or browser incompatibility.

**Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP [Funding Resource Center](#) web page.**

## **E. Application Review Information**

### **Review Criteria**

Applications that meet basic minimum requirements will be evaluated by peer reviewers for the following criteria:

#### **1. Statement of the Problem (20 percent)**

- Describe state's fidelity to the state-level JRI model. The application must describe the state's actions related to the following components with specificity:
  - Convening a bipartisan, interbranch task force or committee.
  - Analyzing criminal justice system data to determine drivers of the corrections population and costs.
  - Adopting policy options through legislation to address the drivers.
  - Implementing legislation and related evidence-based strategies.

- Adopting robust performance measures (including measuring cost savings/avoidance).
- Identifying reinvestment priorities.
- Describe outcomes to date, including corrections population changes, costs saved or avoided, and any other relevant outcomes, including data responsive to this solicitation’s performance measures outlined on page 16.
- Describe amounts and targets of reinvestment to date. If the state has made no reinvestment to date, describe the matching funds, as detailed on page 10.
- Describe challenges faced in achieving intended outcomes that this project is designed to address.
- Explain the inability to fund the project adequately without federal assistance.

**2. Project Design and Implementation (35 percent)**

- Describe specifically which activities the proposed project will undertake (i.e., specify which of the “Allowable Uses for Award Funds” on pages 6-8 the proposal incorporates).
- Clearly articulate the goals established for this project and connect them to the overarching goals of the solicitation set forth on page 6.
- Explain how this project complements, rather than supplants, the state’s reinvestment strategies.
- Use data to support the project design.
- If applicable, indicate the number of people who would receive services if this proposal is funded.

**3. Capabilities and Competencies (25 percent)**

- Describe the management structure and staffing of the project, identifying the agency responsible for the project and the grant coordinator. The grant coordinator must be a knowledgeable primary point of contact for the technical assistance provider, BJA, and all project partners and must ensure effective communication and prompt deliverables throughout the life of the grant.
- Demonstrate the capability of the applicant to ensure proper fiscal and programmatic oversight of the grant, make and administer subgrants as appropriate, and manage the collaborative partnerships involved, if applicable.
- List the partners (governmental and non-governmental, if applicable) and describe their competencies, the relationship of those agencies to the applicant, and the history of collaboration among the partners.

**4. Plan for Collecting Data Required for this Solicitation’s Performance Measures (5 percent)**

- Describe the process for assessing the project’s effectiveness through the collection and reporting of the required performance metrics data (see Performance Measures on page 16), as well as any additional performance measures the applicant proposes to collect. Describe how data will be captured and who will be responsible for collecting data and

assessing and addressing data quality.

## 5. Impact/Outcomes, Evaluation, and Sustainment (10 percent)

- Identify goals and objectives for project development, implementation, and outcomes.
- Describe how performance will be documented, monitored, and evaluated, and identify the impact of the strategy once implemented.
- Outline what data and information will be collected and describe how evaluation and collaborative partnerships will be leveraged to build long-term support and resources for the project.
- Discuss how this effort will be integrated into the state or tribal justice system plans or commitments, how the project will be financially sustained after federal funding ends, and the expected long-term results for the program.

## 6. Budget (5 percent)

- Submit a budget that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Budget narratives should generally demonstrate how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.<sup>10</sup>

### Review Process

OJP is committed to ensuring a fair and open process for making awards. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. For purposes of assessing whether an application meets basic minimum requirements and should proceed to further consideration, OJP screens applications for compliance with those requirements. Although specific requirements may vary, the following are common requirements applicable to all solicitations for funding under OJP programs:

- The application must be submitted by an eligible type of applicant.
- The application must request funding within programmatic funding constraints (if applicable).
- The application must be responsive to the scope of the solicitation.
- The application must include all items designated as “critical elements.”
- The applicant must not be identified in SAM as excluded from receiving federal awards.

For a list of the critical elements for this solicitation, see “What an Application Should Include” under [Section D. Application and Submission Information](#).

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<sup>10</sup> Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJA may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation's review criteria. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. Peer reviewers' ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for OJP include underserved populations, geographic diversity, strategic priorities, past performance under prior BJA and OJP awards, and available funding, as well as the extent to which the budget detail worksheet and budget narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by applicants. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award. If OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information system, "FAPIS").

**Important note on FAPIS:** An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIS, in its assessment of the risk posed by applicants.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants for competitive awards. OJP takes into account information pertinent to matters such as --

1. Applicant financial stability and fiscal integrity.
2. Quality of the management systems of the applicant, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide.
3. Applicant's history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies.
4. Reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements.
5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may take into account not only peer review ratings and BJA recommendations, but also other factors as indicated in this section.

## F. Federal Award Administration Information

### Federal Award Notices

Award notifications will be made by September 30, 2017. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including all award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning of the fully-executed award document to OJP.

### Administrative, National Policy, and other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, as well as all applicable requirements of federal statutes, regulations, and executive orders (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

Applicants should consult the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)," available in the [OJP Funding Resource Center](#). In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents before it may receive any award funds.

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- [Standard Assurances](#)

Applicants may view these documents in the Apply section of the [OJP Funding Resource Center](#).

The web pages accessible through the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)" are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2017. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute or program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance

under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

### **General Information about Post-Federal Award Reporting Requirements**

In addition to the deliverables described in [Section A. Program Description](#), any recipient of an award under this solicitation will be required to submit the following reports and data.

Required reports. Recipients typically must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP website at <http://ojp.gov/funding/FAPIIS.htm>.

Data on performance measures. In addition to required reports, an award recipient also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, OJP will require any recipient, post award, to provide the data listed as "Data Recipient Provides" in the performance measures table in [Section D. Application and Submission Information](#), under "Program Narrative," so that OJP can calculate values for this solicitation's performance measures.

## **G. Federal Awarding Agency Contact(s)**

For OJP Contact(s), see title page.

For contact information for Grants.gov, see title page.

## **H. Other Information**

### **Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)**

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and

names and contact information for project staff other than certain key personnel.) In appropriate circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify – quite precisely – any particular information in the application that the applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

### **Provide Feedback to OJP**

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).

**IMPORTANT:** This email is for feedback and suggestions only. OJP does **not** reply from this mailbox to messages it receives in this mailbox. Any prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to [ojppeerreview@lmsolas.com](mailto:ojppeerreview@lmsolas.com). (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

## Application Checklist FY 2017 Justice Reinvestment Initiative: Maximizing State Reforms

This application checklist has been created as an aid in developing an application.

### What an Applicant Should Do:

#### *Prior to Registering in Grants.gov:*

- \_\_\_\_\_ Acquire a DUNS Number (see page 28)
- \_\_\_\_\_ Acquire or renew registration with SAM (see page 28)

#### *To Register with Grants.gov:*

- \_\_\_\_\_ Acquire AOR and Grants.gov username/password (see page 29)
- \_\_\_\_\_ Acquire AOR confirmation from the E-Biz POC (see page 29)

#### *To Find Funding Opportunity:*

- \_\_\_\_\_ Search for the Funding Opportunity on Grants.gov (see page 29)
- \_\_\_\_\_ Download Funding Opportunity and Application Package (see page 29)
- \_\_\_\_\_ Sign up for Grants.gov email [notifications](#) (optional) (see page 27)
- \_\_\_\_\_ Read [Important Notice: Applying for Grants in Grants.gov](#)
- \_\_\_\_\_ Read OJP policy and guidance on conference approval, planning, and reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm) (see page 12)

#### *After Application Submission, Receive Grants.gov Email Notifications That:*

- \_\_\_\_\_ (1) application has been received, and
- \_\_\_\_\_ (2) application has either been successfully validated or rejected with errors  
(see page 29)

#### *If no Grants.gov Receipt, and Validation or Error Notifications Are Received:*

- \_\_\_\_\_ Contact BJA regarding experiencing technical difficulties (see page 2)

### Overview of Post-Award Legal Requirements:

- \_\_\_\_\_ Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)" in the OJP Funding Resource Center.

### Scope Requirement:

- \_\_\_\_\_ The federal amount requested is within the allowable limit of \$1,750,000.

### Eligibility Requirement:

- \_\_\_\_\_ Eligible applicants are units of state government and federally recognized Indian tribal governments (as determined by the Secretary of the Interior) that can demonstrate substantial completion of the Justice Reinvestment Initiative model (see Selection Criteria on page 30).

### What an Application Should Include:

- \_\_\_\_\_ Application for Federal Assistance (SF-424) (see page 14)
- \_\_\_\_\_ Intergovernmental Review (see page 14)
- \_\_\_\_\_ Project Abstract (see page 14)
- \_\_\_\_\_ \*Program Narrative (see page 15)
- \_\_\_\_\_ \*Budget Detail Worksheet (see page 19)
- \_\_\_\_\_ \*Budget Narrative (see page 19)

- \_\_\_\_\_ Indirect Cost Rate Agreement (if applicable) (see page 21)
- \_\_\_\_\_ Tribal Authorizing Resolution (if applicable) (see page 22)
- \_\_\_\_\_ Financial Management and System of Internal Controls Questionnaire (see page 22)
- \_\_\_\_\_ Disclosure of Lobbying Activities (SF-LLL) (see page 22)
- \_\_\_\_\_ Additional Attachments
  - \_\_\_\_\_ Letters from JRI Task Force (see page 23)
  - \_\_\_\_\_ Letters of Support from All Key Partners (see page 23)
  - \_\_\_\_\_ State-Specific Performance Measures (see page 23)
  - \_\_\_\_\_ Project Timeline (see page 23)
  - \_\_\_\_\_ Position Descriptions and Resumes (see page 23)
  - \_\_\_\_\_ Documentation of Reinvestment Match (if applicable) (see page 23)
  - \_\_\_\_\_ Applicant Disclosure of Pending Applications (see page 23)
  - \_\_\_\_\_ Research and Evaluation Independence and Integrity (see page 24)
  - \_\_\_\_\_ Disclosure of Process related to Executive Compensation (if applicable)  
(see page 26)
- \_\_\_\_\_ Request and Justification for Employee Compensation Waiver (if applicable)  
(see page 12)

\*These elements are the basic minimum requirements for applications. Applications that do not include these elements shall neither proceed to peer review nor receive further consideration by BJA.