

OFFICE OF THE SHERIFF • COUNTY OF LASSEN, CALIFORNIA
"Serving with Honor Since 1864"


SHERIFF'S / CORONER'S DEPARTMENT
OFFICE OF EMERGENCY SERVICES
1415 Sheriff Cady Lane
Susanville, CA 96130
Phone (530) 251-8013
Fax (530) 251-2884

ADULT DETENTION FACILITY
1405 Sheriff Cady Lane
Susanville, CA 96130
(530) 251-5245
FAX (530) 251-5243

STEVEN W. WARREN
SHERIFF/CORONER
DIRECTOR OF EMERGENCY SERVICES

DISPATCH/COMMUNICATIONS
(530) 257-6121
FAX (530) 257-9363

CIVIL DIVISION
Phone (530) 251-8014
Fax (530) 251-2884

To: Lassen County Board of Supervisors
From: Dean F. Growdon- Assistant Sheriff
Date: April 3, 2009 

Agenda Date: April 14, 2009

Discussion:

The American Recovery and Reinvestment Act of 2009 (Recovery Act) was signed into law by President Obama on February 17, 2009.

Included in this package are a variety of grants that are available to state and local law enforcement. As part of the application process for these grants, the Sheriff has to receive permission from the Board of Supervisors to apply for these grants on behalf of the County. The grants are as follows:

The Edward Byrne Competitive Grant Program

Assistance to Rural Law Enforcement to Combat Crime and Drugs

Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation- A copy of the guidelines for this grant have been included to meet application requirements. This grant is jurisdiction specific and is in the amount of \$20,127

COPS Hiring and Recovery Program

As of this date (April 3, 2009) the County's eligibility for all of these grants has not been established.

Fiscal Impact: None

Recommendation:

That the Board of Supervisors authorizes the Sheriff to apply for the following grants under the American Recovery and Reimbursement Act, if it is determined that the Sheriff's Office meets eligibility requirements. That the Board of Supervisors issues a minute order authorizing the same

THERE ARE A NUMBER OF IMPORTANT OPPORTUNITIES AVAILABLE TO POLICE AGENCIES ARISING OUT OF THE RECENTLY ADOPTED AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. PLEASE TAKE THE TIME TO READ THIS BULLETIN FROM THE US DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS. JOHN LOVELL WILL BE ABLE TO PROVIDE FOLLOW-UP INFORMATION. HIS PHONE NUMBER IS 916-447-3820.

OJP's Information Related to the American Recovery and Reinvestment Act of 2009

Overview of the American Recovery and Reinvestment Act of 2009 (Recovery Act)

The American Recovery and Reinvestment Act of 2009 (Recovery Act) was signed into law by President Obama on February 17, 2009. It is an unprecedented effort to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing long-neglected challenges so our country can thrive in the 21st century. The Act is an extraordinary response to a crisis unlike any since the Great Depression, and includes measures to modernize our nation's infrastructure, enhance energy independence, expand educational opportunities, preserve and improve affordable health care, provide tax relief, and protect those in greatest need.

Implementing the American Recovery and Reinvestment Act of 2009 (Recovery Act)

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

Assistance Available through the Recovery Act and Administered by OJP:

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

Solicitations:

Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: State Solicitation
Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation

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

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

Units of local government, established by OJP's Bureau of Justice Statistics, will also be eligible to apply for JAG funds. [Click here for a list of state and local allocations.](#)

Questions? E-mail JAGRecovery@usdoj.gov.

Media and Congressional Inquiries please contact: Office of Communications: 202-307-0703, E-Mail: [OJP Office of Communications](#)

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

Byrne Competitive Grants are similar to JAG grants and are focused on ensuring job growth and job retention. However, instead of providing grants based on a formula, BJA administers these funds based on a competitive application process. These grants help state and local communities improve the capacity of local justice systems and may be used for national efforts such as training and technical assistance. Applicants may be national, regional, state, or local public and private entities, including for-profit (commercial) and nonprofit organizations, faith-based and community organizations, institutions of higher education, tribal jurisdictions, and units of local government that support the functioning of the criminal justice system. Information will be coming soon about how to apply for Byrne Competitive grants.

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

Information coming soon!

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

Information coming soon!

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

Information coming soon!

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

The Recovery Act provides for \$100 million in funding for victim compensation and assistance. Of that \$100 million, \$47.5 million in formula funding will be directed to state agencies that administer Victims of Crime Act (VOCA) funded crime victim compensation programs, and an additional \$47.5 million in formula funding will be directed to state agencies that administer VOCA-funded crime victim assistance programs. OJP's Office for Victims of Crime will administer this funding and provide detailed guidance to the eligible state agencies on application and reporting requirements in the solicitations that are currently being developed. [Click here for a link to the state formula allocations.](#)

Five million of the \$100 million will be directed to discretionary grant projects. The \$5 million will be used to make awards under the currently open National Field-Generated Training, Technical Assistance and Demonstration Projects (NFG) competitive grant solicitation. Please be advised that numerous changes will be made to the NFG solicitation. The NFG solicitation deadline has been extended to March 17, 2009.

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

Administered by OJP's Office of Juvenile Justice and Delinquency Prevention Internet Crimes Against Children (ICAC) Task Force Program helps state and local law enforcement agencies develop an effective response to cyber enticement and child pornography cases. This help encompasses forensic and investigative components, training and technical assistance, victim services, and community education.

The ICAC program is a national network of 59 coordinated task forces, representing more than 2,000 federal, state, and local law enforcement and prosecutorial agencies engaged in proactive investigations, forensic examinations, and effective prosecutions. This funding will be used to help state and local law

enforcement agencies develop effective, sustainable responses to online child victimization and child pornography. Additional information about how to apply will be announced soon.

The OJP funding listed above is in addition to \$1 billion to hire new police officers and \$225 million to combat violence against women. For more information on additional Department of Justice grant program opportunities please visit the COPS Office and the Office on Violence Against Women. To learn about the Department of Justice's implementation of the Recovery Act, please visit www.usdoj.gov/recovery.

OJP encourages all interested and eligible applicants to register now to apply for funding. Potential applicants need to obtain a DUNS (Data Universal Numbering System) number and must register with the Central Contractor Registration (CCR) registrant database. A DUNS number is a unique number that identifies an organization and helps track the distribution of grant money. The CCR is a central repository of organizations working with the federal government. Please visit www.grants.gov for more information.

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



RECOVERY ACT



The U.S. Department of Justice, Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) is pleased to announce that it is seeking applications for funding under the Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

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

Specifically, under this solicitation, BJA will be making awards to assist local and tribal efforts to prevent or reduce crime and violence.

Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation

Eligibility

Applicants are limited to units of local government listed in the Recovery Act JAG allocation list for JAG funds.

(See "Eligibility," page 2)

Deadline

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

Applicants must obtain a DUNS number from Dun and Bradstreet prior to application submission. Applicants, including those applying through GMS, must register with the Central Contractor Registration (CCR) database.

(See "Deadline: Registration," page 1)

All applications are due by 8:00 p.m. Eastern Time. on May 18, 2009.

(See "Deadline: Applications," page 2)

Important Note to Prospective Applicants

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

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

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

Contact Information

For assistance with the requirements of this solicitation, contact: BJA toll-free at 1-866-268-0079 or e-mail JAGRecovery@usdoj.gov. This e-mail account will be checked hourly. A response will be provided within one business day. You may also contact your BJA State Policy Advisor at www.ojp.usdoj.gov/BJA/resource/stcont.htm, or Eileen M. Garry, Deputy Director for Programs, at 202-307-6226 or eileen.garry@usdoj.gov.

This application must be submitted through OJP's Grants Management System (GMS). For technical assistance with submitting the application, call the GMS Support Hotline at 1-888-549-9901, option 3. The GMS Support Hotline hours of operation are Monday-Friday from 7:00 a.m. to 9:00 p.m. e.t. For step-by-step GMS guidance, please utilize OJP's online Grants Management System training tool: www.ojp.usdoj.gov/gmscbt/

Release date: March 6, 2009

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**Recovery Act: Edward Byrne Memorial Justice Assistance Grant
(JAG) Formula Program: Local Solicitation
CDFA #16.804**

Overview of the Edward Byrne Memorial Justice Assistance Grant Program

This grant program is authorized by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the "Recovery Act") and by 42 U.S.C. 3751(a).

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

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

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.

Deadline: Registration

Registering with OJP's Grants Management System (GMS)

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

The deadline to register is 8:00 p.m. Eastern Time on May 18, 2009.

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

A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. The identifier is used for

tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Obtain one by calling 1-866-705-5711 or by applying online at <http://fedgov.dnb.com/webform/displayHomePage.do>.

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

Deadline: Applications

The due date for applying for funding under this announcement is 8:00 p.m. Eastern Time on May 18, 2009.

Eligibility

Applicants are limited to units of local government appearing on the [Recovery Act JAG allocation list](#). For JAG Program purposes, a unit of local government is: a town, township, village, parish, city, county, or other general purpose political subdivision of a state; any law enforcement district or judicial enforcement district that is established under applicable state law and has authority to, in a manner independent of other state entities, establish a budget and impose taxes; or, it may also be a federally recognized Indian tribe or Alaskan Native organization that performs law enforcement functions as determined by the Secretary of the Interior. In Louisiana, a unit of local government means the office of a district attorney or a parish sheriff.

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

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

Certification regarding Infrastructure Investments. Pursuant to section 1511 of the Recovery Act, a State or local government (including a federally-recognized Indian tribal government) may not receive funds for an infrastructure investment (for example, construction or major renovation of a correctional facility) unless the Governor, mayor, or other chief executive, as appropriate, certifies that the infrastructure investment has received the full vetting required by law and that the chief executive accepts responsibility that the infrastructure is an appropriate use of taxpayer dollars. The certification must include a description of the infrastructure investment, the estimated total cost, and the amount of Recovery Act funds to be used, and must be posted on

a web site that is linked to Recovery.gov. (Refer to the OJP Recovery Act Additional Requirements web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm for the text of section 1511.)

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

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

JAG Program-Specific Information

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

Established to streamline justice funding and grant administration, the JAG Program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to prioritize and place justice funds where they are needed most.

Formula

The Bureau of Justice Statistics (BJS) calculates, for each *state and territory*, a minimum base allocation which, based on the statutory JAG formula, can be enhanced by (1) the state's share of the national population and (2) the state's share of the country's Part 1 violent crime statistics. Once the state funding is calculated, 60 percent of the allocation is awarded to the state and 40 percent to eligible units of local government. States also have a variable percentage of the allocation that is required to "pass through" to units of local government. This amount, also calculated by BJS, is based on each state's crime expenditures. Additionally, the formula calculates direct allocations for local governments within each state, based on their share of the total violent crime reported within the state. Local governments that are entitled to at least \$10,000 awards may apply directly to BJA for Local JAG grants.

NOTE: Beginning in 2009, the formula calculation for the local portion of the JAG statute has changed significantly as a result of final implementation of the JAG statute. The statute, 42 U.S.C. 3755(d)(2)(B), specifies that for Fiscal Years 2005 through 2008, allocations to units of local government would follow the Local Law Enforcement Block Grant (LLEBG) formula. Pursuant to the statute, however, calculations for FY 2009 (and subsequent JAG calculations)

require that units of local government must have submitted to the FBI at least three years of Uniform Crime Report (UCR) data during the most-recent ten-year period for which UCR data are available (here, 1998-2007) in order to be eligible. As a result of this statutory requirement, several local governments that were eligible in prior years for JAG formula funding are ineligible this year due to a lack of compliant UCR data reporting.

Award Amount

The JAG allocation list established by the Bureau of Justice Statistics (BJS), and indicates the amount for which each unit of local government is eligible to apply. For a listing of eligible units of local government and eligible amounts, go to www.ojp.usdoj.gov/BJA/recoveryJAG/recoveryallocations.html.

Purpose Areas

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

- Law enforcement programs.
- Prosecution and court programs.
- Prevention and education programs.
- Corrections and community corrections programs.
- Drug treatment and enforcement programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness programs (other than compensation).

Responsibilities

The Chief Executive Officer (CEO) of an eligible unit of local government or a local agency designated by the CEO must submit the application for JAG funds. A unit of local government receiving a JAG award will be responsible for the administration of the funds including: distributing the funds; monitoring the award; submitting reports including performance measures and program assessment data; and providing ongoing oversight and assistance to any subrecipients of the funds.

Administrative Funds

A unit of local government may use up to 10 percent of the award for costs associated with administering JAG funds.

Disparate Certification

A disparate allocation occurs when a city or municipality is scheduled to receive one and one-half times (150 percent) more than a county with concurrent jurisdiction, while that county bears more than 50 percent of the costs associated with prosecution or incarceration of the municipality's Part 1 violent crime. Multiple disparate allocations occur when multiple cities or municipalities are collectively eligible to receive four times (400 percent) more than the county.

JAG disparate jurisdictions are certified by the Director of the Bureau of Justice Assistance (BJA), based in part on input from the state's Attorney General. For a listing of disparate jurisdictions, go to www.ojp.usdoj.gov/BJA/recoveryJAG/recoveryallocations.html.

- ★ Jurisdictions certified as disparate must identify a fiscal agent that will submit a joint application for the total eligible allocation. The joint application must specify the award distribution to each unit of local government and the purposes for which the funds will be

used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds, must be completed, and signed by the Authorized Representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to www.ojp.usdoj.gov/BJA/recoveryJAG/JAGrecoveryMOU.pdf.

Governing Body Review

The applicant agency (fiscal agent) must make the grant application available for review by its governing body (or to the organization designated by that governing body) not fewer than 30 days before the application is submitted to BJA.

Public Comment

The Local JAG application must include a statement that the application was made public and that, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and neighborhood or community organizations.

Length of Awards

Awards are made in the first fiscal year of the appropriation and may be expended during the following 3 years, for a total of 4 grant period years.

Trust Fund

Each unit of local government may draw down any or all JAG funds after acceptance of the award. To do so, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest-bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds.

Recipients of funds, however, should be aware that the authority to retain such advance funding may be withdrawn should the recipient persistently remain delinquent in applicable reporting required by the Recovery Act. Specific information relating to this will be detailed in grant award documents.

Prohibited Uses

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

- Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters).
- Luxury items.
- Real estate.
- Construction projects (other than penal or correctional institutions).
- Any similar matters.

Non-Supplanting

Federal funds must be used to supplement existing state and local funds for program activities and must not replace those funds that have been appropriated for the same purpose. See the OJP Financial Guide (Part II, Chapter 3). Additional information appears on the "OJP Recovery Act Additional Requirements" web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

Recovery Act: Buy American

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

www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

Recovery Act: Wage Rate Requirements

All applicants should be aware that the Recovery Act contains a provision on wage rate requirements that concerns projects funded or assisted by Recovery Act funds that employ laborers and mechanics. See section 1606 of the Recovery Act, the text of which appears on the "OJP Recovery Act Additional Requirements" web page at

www.ojp.usdoj.gov/recovery/solicitationrequirements.htm. Government-wide guidance on this provision is not yet available, but is expected.

Recovery Act: Preference for Quick-Start Activities

Pursuant to section 1602 of the Recovery Act, recipient of funds under this solicitation for infrastructure investment are to give preference to activities that can be started and completed expeditiously, and also are expected to use grant funds in a manner that maximizes job creation and economic benefit. For the details of this requirement, please refer to the text of section 1602, which appears on the "OJP's Recovery Act Additional Requirements" web page at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

Recovery Act: Contracts

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

Recovery Act: Limit on Funds

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

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

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

Accountability and Transparency under the Recovery Act**Separate Tracking and Reporting of Recovery Act Funds and Outcomes**

Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, it is essential that all funds from a Recovery Act grant be tracked, accounted for, and reported on separately from all other funds (including DOJ grant

funds from non-Recovery Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of Recovery Act funds.

The accounting systems of all recipients and subrecipients must ensure that funds from any award under this Recovery Act solicitation are not commingled with funds from any other source.

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

Quarterly Financial and Programmatic Reporting

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

Under this Recovery Act program, quarterly financial and programmatic reporting will be required, and will be due within 10 calendar days after the end of each calendar quarter, starting July 10, 2009.

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

The information from grantee reports will be posted on a public website. To the extent that grant funds are available to pay a grantee's administrative expenses, those funds may be used to assist the grantee in meeting the accelerated time-frame and extensive reporting requirements of the Recovery Act.

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

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

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

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

Subawards under Recovery Act Grants

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

Monitoring of subawards. All applicants should bear in mind that any recipient of an award under this solicitation will be responsible for monitoring of subawards under the grant in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide. Primary recipients will be responsible for oversight of subawardee spending and monitoring of specific outcomes and benefits attributable to use of Recovery Act funds.

Reporting Fraud, Waste, Error, and Abuse

Each grantee or subgrantee awarded funds made available under the Recovery Act is to promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has submitted false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving Recovery Act funds.

You may report potential fraud, waste, abuse, or misconduct to the U.S. Department of Justice, Office of the Inspector General (OIG) by—

mail: Office of the Inspector General
 U.S. Department of Justice
 Investigations Division
 950 Pennsylvania Avenue, N.W.
 Room 4706
 Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG web site at www.usdoj.gov/oig/.

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

Performance Measures

To assist in fulfilling the accountability objectives of the Recovery Act, as well as the Department's responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. In addition, applicants must discuss their data collection methods in the application. The following are required measures for awards made under the Recovery Act:

Objective	Performance Measures	Data the grantee provides for 3-month reporting period	Description (Plain language explanation of what exactly is being provided)
Recovery Act Preserving jobs	Number of jobs saved (by type) due to Recovery Act funding.	a) How many jobs were prevented from being eliminated with the Recovery Act funding during this reporting period? b) How many jobs that were eliminated within the last 12 months were reinstated with Recovery Act funding?	An unduplicated number of jobs that would have been eliminated if not for the Recovery Act funding during the three-month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.
Recovery Act Creating jobs	Number of jobs created (by type) due to Recovery Act funding.	How many jobs were created with Recovery Act funding this reporting period?	An unduplicated number of jobs created due to Recovery Act funding during the three month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.

In addition, new performance measures specific to the JAG Program have been developed by BJA with input from criminal justice members in the field (including SAAs). The performance measures can be found at: www.ojp.usdoj.gov/BJA/grant/JAG_Measures.pdf.

How to Apply

Grants Management System Instructions. Applications must be submitted through OJP's online Grants Management System (GMS). To access the system, go to <https://grants.ojp.usdoj.gov>. Applicants should begin the process a few weeks prior to the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. For a step-by-step guide, visit <http://www.ojp.gov/gmscbt/> and refer to the section entitled "External Overview: Locating & Applying for Funding Opportunities." For additional assistance, call the GMS Support Hotline at 1-888-549-9901 from 7:00 a.m. to 9:00 p.m. Eastern Time.

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

Recovery Act CFDA Number: The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.804, titled "Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Program/Grants to Units of Local Territories."

What an Application Must Include

Standard Form 424

Program Narrative (Attachment 1)

Applicants must submit a program narrative that describes the proposed program activities for the 4-year grant period. The narrative must outline the type of programs to be funded by the JAG award and provide a brief analysis of the need for the programs. Narratives must also identify anticipated coordination efforts involving JAG and related justice funds. Certified disparate jurisdictions submitting a joint application must specify the funding distribution to each disparate unit of local government and the purposes for which the funds will be used.

The program narrative must include:

- Project objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act, and the likelihood of achieving such outcomes, such as job creation and preservation.
- Organization capabilities and competencies, including a description of how the organization will track all drawdowns and grant expenditures separately from other federal funding.
- Activities that can be started and completed expeditiously, and in a manner that maximizes job creation and economic benefits.
- Timeline or project plan identifying when the goals and objectives will be completed.

- Performance measures established by the organization to assess whether grant objectives are being met.

Budget and Budget Narrative (Attachment 2)

Applicants must submit a budget and budget narrative outlining how JAG funds, including administrative funds if applicable, will be used to support and implement the program. A sample budget form may be found at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf.

Review Narrative (Attachment 3)

Applicants must include in this attachment documentation regarding the following requirements:

- Include the date that the JAG application was made available for review by the applicant's governing body. This governing body notification must occur no less than 30 days before submission to BJA.
- Include a statement that the application was made public and that, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and neighborhood or community organizations.
- If the applicant is part of a disparate jurisdiction, include the Memorandum of Understanding (MOU), which has been executed and signed by each jurisdiction's Authorized Representative, outlining each jurisdiction's allocation and indicating which jurisdiction is serving as the applicant/fiscal agent for the joint funds.

Abstract (Attachment 4)

Applicants must provide an abstract which includes the applicant's name, title of the project, the goals of the project, a description of the strategies to be used, major deliverables, and coordination plans. The abstract must not exceed one-half page, or 400-500 words.

Certifications (Attachment 5)

See the Appendix.

Review Process

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

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the OJP Assistant Attorney General (AAG).

Additional Requirements

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

- Civil Rights Compliance

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

Appendix. Templates for Required Certifications

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

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Recovery Act – Justice Assistance Grant (JAG) Program

Certification as to Recovery Act Reporting Requirements

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

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

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

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

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Full Name of Applicant Entity

Date

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Recovery Act – Justice Assistance Grant (JAG) Program

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

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

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

Initial the statement that applies:

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

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

Page 2 of 2

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

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

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

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

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Full Name of Applicant Government Entity

Date

State	Jurisdiction Name	Government Type	Eligible Individual Allocation	Eligible Joint Allocation
CA	BEAUMONT CITY	Municipal	\$30,112	
CA	BISHOP CITY	Municipal	\$10,777	
CA	BLYTHE CITY	Municipal	\$58,322	
CA	BRAWLEY CITY	Municipal	\$33,440	
CA	CALAVERAS COUNTY	County	\$35,659	
CA	CALEXICO CITY	Municipal	\$55,311	
CA	CALIFORNIA CITY	Municipal	\$25,516	
CA	CAPITOLA CITY	Municipal	\$34,233	
CA	CATHEDRAL CITY	Municipal	\$109,195	
CA	CERES CITY	Municipal	\$85,898	
CA	CHOWCHILLA CITY	Municipal	\$14,897	
CA	CLEARLAKE CITY	Municipal	\$30,746	
CA	CLOVERDALE CITY	Municipal	\$14,739	
CA	COACHELLA CITY	Municipal	\$112,841	
CA	COLUSA COUNTY	County	\$16,482	
CA	CORCORAN CITY	Municipal	\$26,625	
CA	CORNING CITY	Municipal	\$24,090	
CA	CORONA CITY	Municipal	\$156,741	
CA	COTATI CITY	Municipal	\$21,237	
CA	CRESCENT CITY	Municipal	\$17,433	
CA	DEL NORTE COUNTY	County	\$30,112	
CA	DELANO CITY	Municipal	\$131,225	
CA	DESERT HOT SPRINGS CITY	Municipal	\$131,383	
CA	DOS PALOS CITY	Municipal	\$18,384	
CA	EL DORADO COUNTY	County	\$153,888	
CA	EL PASO DE ROBLES CITY	Municipal	\$48,338	
CA	FOLSOM CITY	Municipal	\$45,009	
CA	FORT BRAGG CITY	Municipal	\$19,969	
CA	FORTUNA CITY	Municipal	\$10,777	
CA	GALT CITY	Municipal	\$38,512	
CA	GRASS VALLEY CITY	Municipal	\$34,866	
CA	GRIDLEY CITY	Municipal	\$28,527	
CA	GROVER BEACH CITY	Municipal	\$26,150	
CA	GUSTINE CITY	Municipal	\$11,252	
CA	HANFORD CITY	Municipal	\$83,521	
CA	HEMET CITY	Municipal	\$218,708	
CA	INDIO CITY	Municipal	\$163,872	
CA	INYO COUNTY	County	\$35,659	
CA	JACKSON CITY	Municipal	\$17,275	
CA	KERN COUNTY	County	\$875,465	
CA	KINGS COUNTY	County	\$64,028	
CA	LA QUINTA CITY	Municipal	\$69,416	
CA	LAKE COUNTY	County	\$89,385	
CA	LAKE ELSINORE CITY	Municipal	\$88,276	
CA	LASSEN COUNTY	County	\$20,127	
CA	LEMOORE CITY	Municipal	\$39,304	
CA	LINCOLN CITY	Municipal	\$25,040	
CA	LIVINGSTON CITY	Municipal	\$37,085	
CA	LOS BANOS CITY	Municipal	\$100,479	
CA	MADERA CITY	Municipal	\$197,946	
CA	MADERA COUNTY	County	\$144,220	
CA	MARIN COUNTY	County	\$75,755	
CA	MARIPOSA COUNTY	County	\$24,565	
CA	MARYSVILLE CITY	Municipal	\$65,137	
CA	MENDOCINO COUNTY	County	\$151,511	
CA	MERCED CITY	Municipal	\$283,052	
CA	MERCED COUNTY	County	\$225,364	